



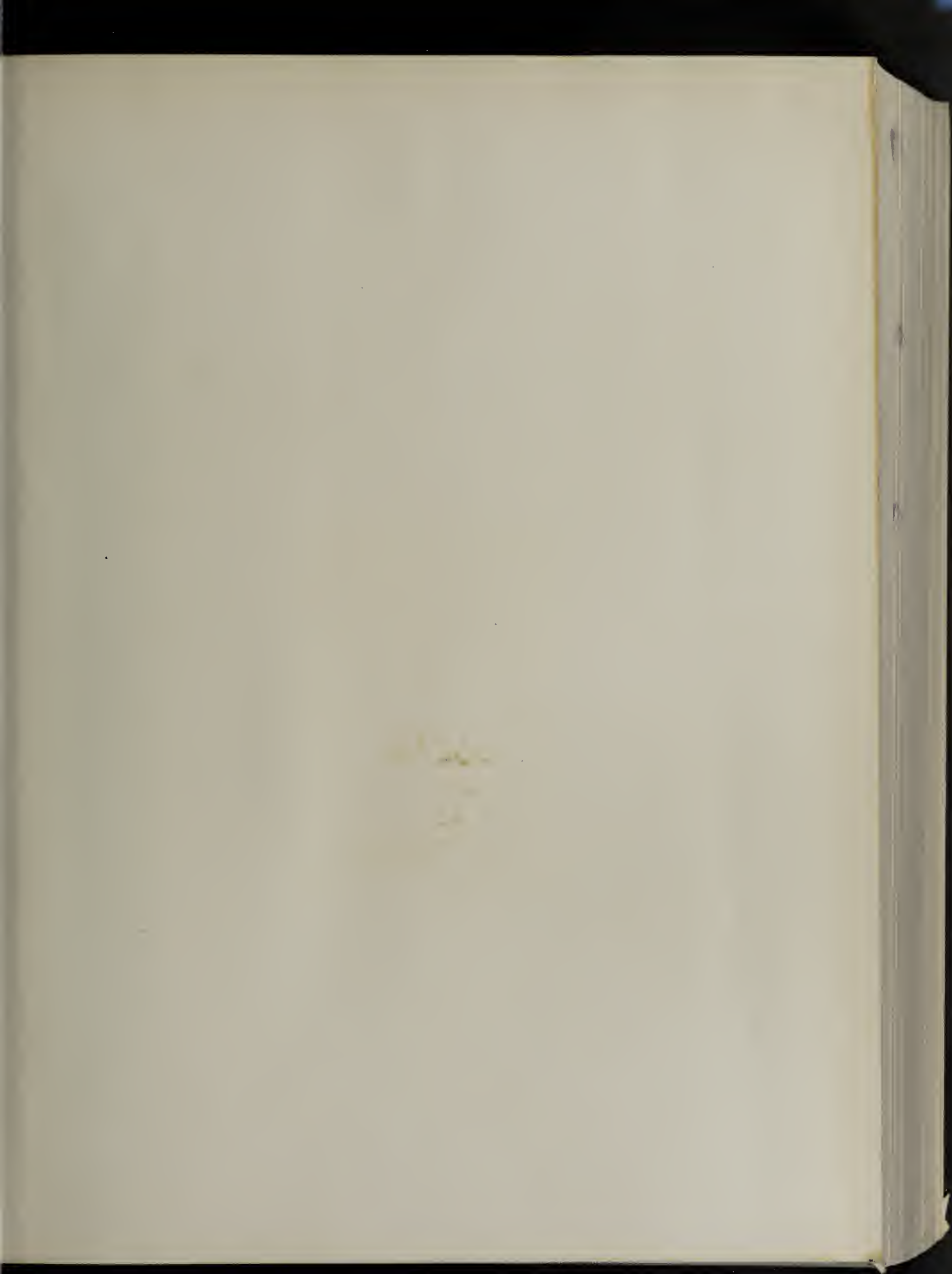
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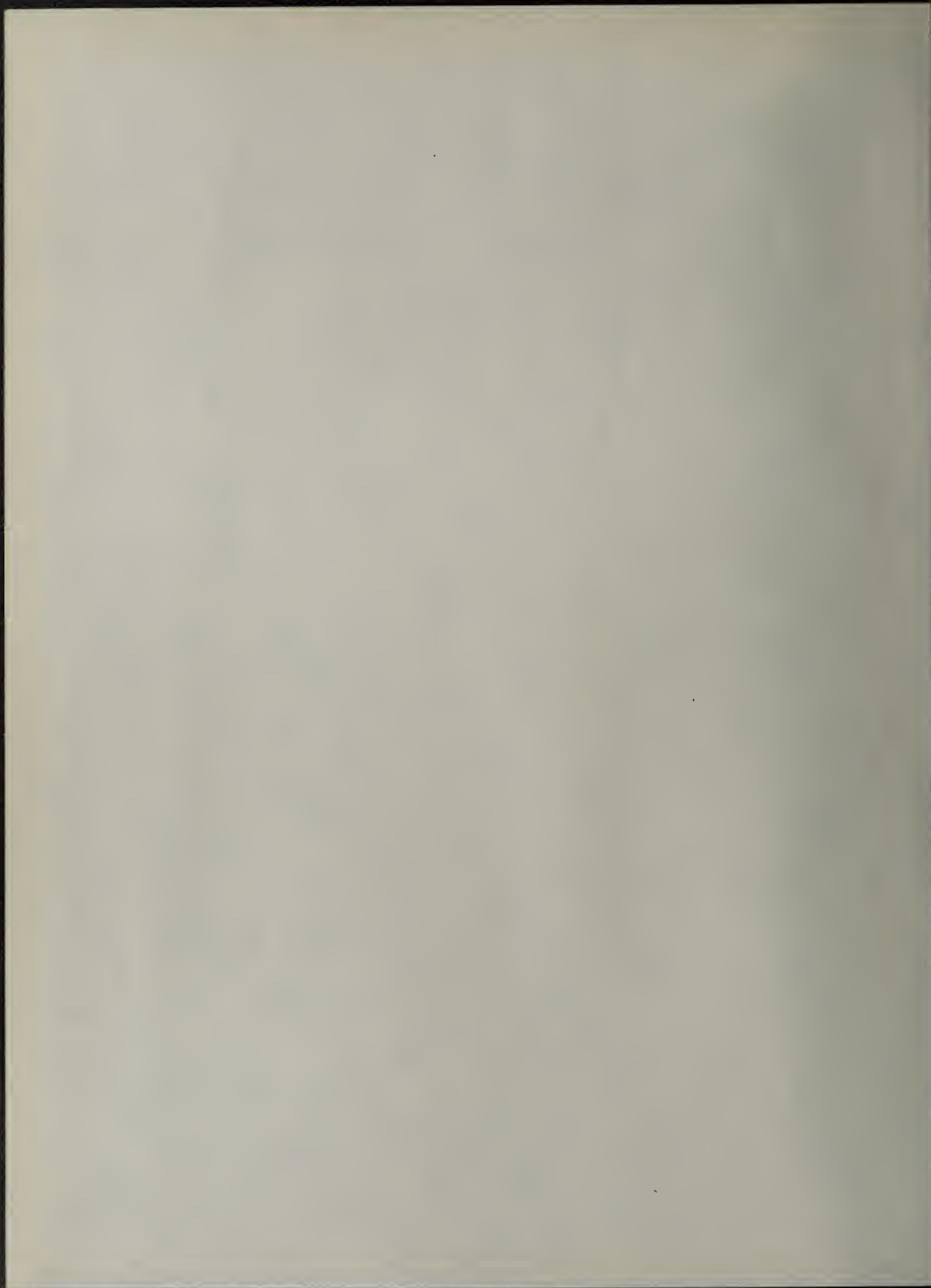
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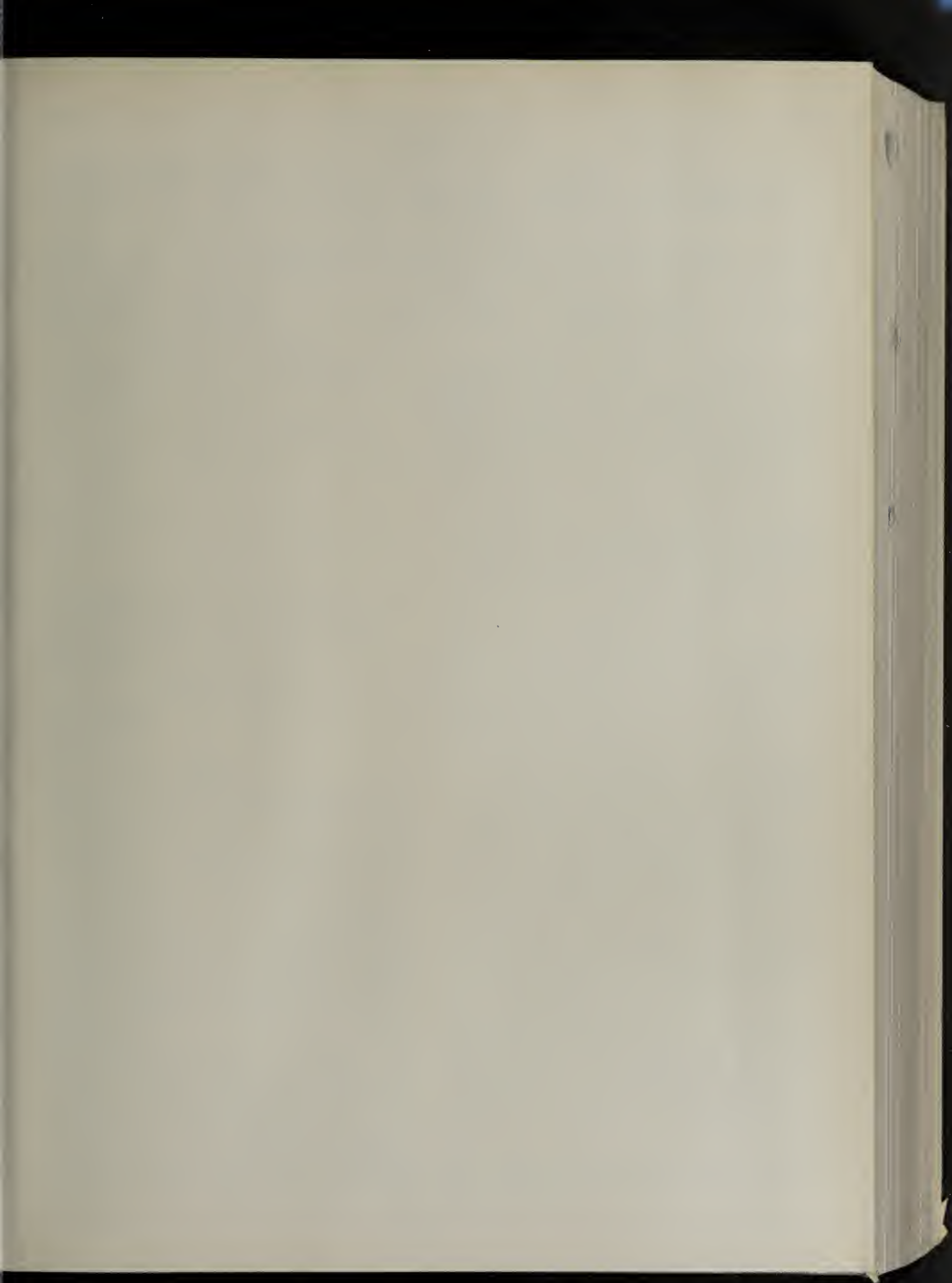
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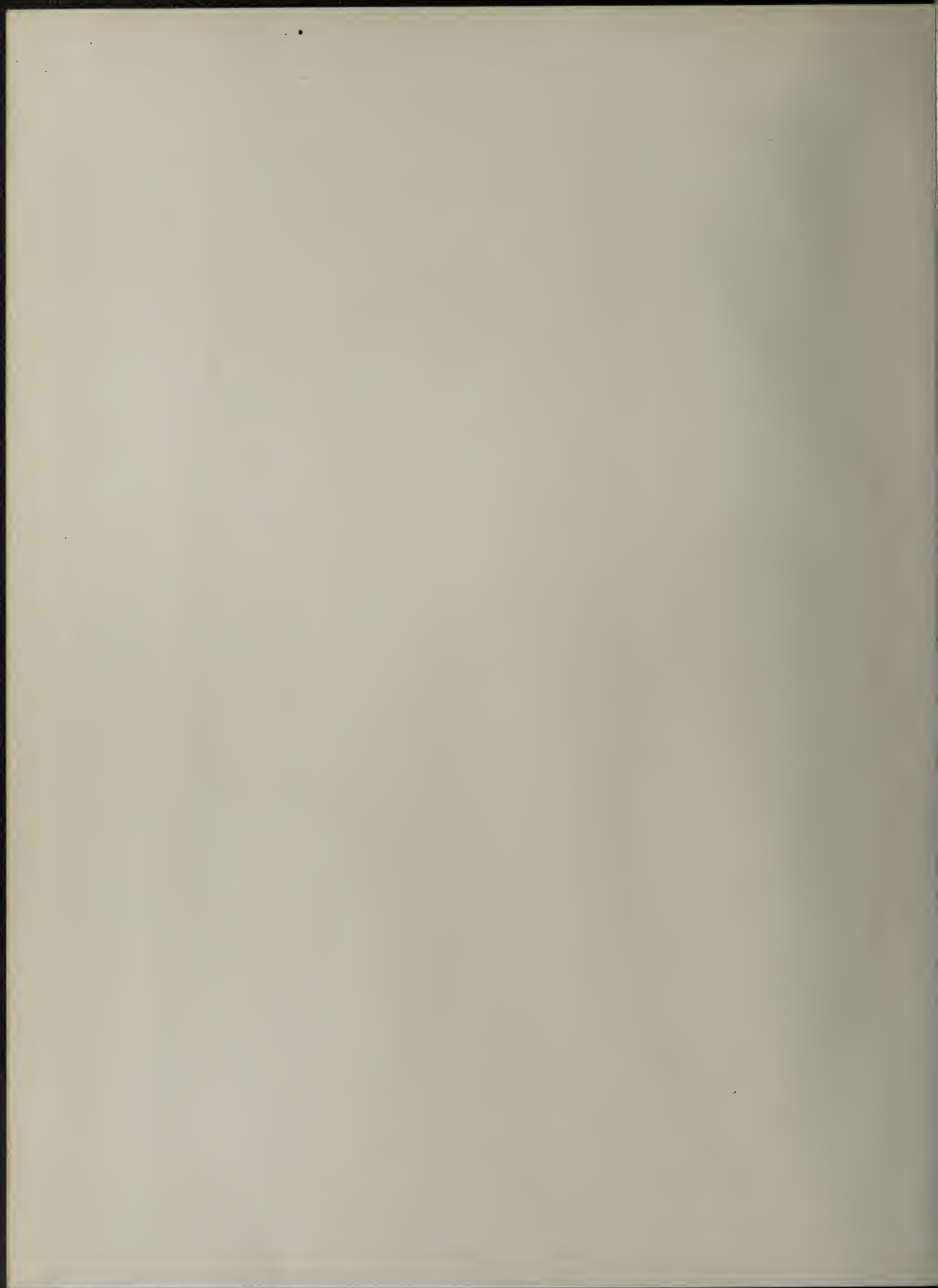
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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COURT DECISIONS

Matter of Gropman vs. Murdock, et al:—On May 28, 1957, the Board denied an application under Section 21A to permit in a residence use district the erection and maintenance of a gasoline service station, lubritorium, car washing, (non automatic), motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; Cal. No. 703-56-BZ; Premises 144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 95, South Ozone Park, Borough of Queens.

At Special Term of the Supreme Court, Mr. Justice Pette in his decision stated in part, as follows: (N.Y.L.J. May 15, 1958, Page 12):

“.....
On the record before it the Court determines that the petitioners’ application for a variance should be granted. Accordingly, the Respondents’ motion to dismiss the Writ of Certiorari herein is denied, and the decision and determination of the Board of Standards and Appeals dated May 28, 1957, denying the petitioners’ application for a variance, is reversed, set aside and annulled, and the matter is remanded to the Board of Standards and Appeals for its action in accordance herewith.”

Notice of an appeal to the Appellate Division has been filed.

Matter of Mark vs. Murdock:—On March 26, 1957, the Board under Sections 7f and 7i of the zoning resolution granted a variance to permit in a business use district, the erection and maintenance of a gasoline service station, store, washing, greasing, minor auto repairs, with hand tools only, parking and storage of automobiles, dwelling and 2 car garage accessory to dwelling; show windows within 75 ft. of residence use district; Cal. No. 797-54-BZ-Vol. II; Premises 690-700 Utica Avenue and 818-828 Clarkson Avenue, southwest corner, Borough of Brooklyn.

At Special Term of the Supreme Court, Mr. Justice Beckinella in his decision stated in part as follows: (NYLJ June 19, 1958, Page 9).

“.....
The contention by the petitioners that the board had no power or authority either to entertain or grant the application in the light of its denial of a prior similar application cannot be sustained. In Matter of Reed v. Board of Standards and Appeals (255 N. Y. 126) a similar assertion was made. There the court said at page 133: ‘Whether or not the function of the Board is to decide cases with finality on the same facts once presented for its consideration, if new plans materially change the aspects of the case, a new application may be made and a new determination had. . . . We must assume that the new plans materially changed the aspect of the original case for they do purport to introduce numerous details which were not provided for in the original plans and which are deemed to be material until the contrary is demonstrated. The Board may ‘give weight to slight differences which are not easily discernible’ (Matter of Larkin Co. v. Schwab, 242 N. Y. 330, 336).’

“Under section 7 of the zoning resolution, the board has a wide scope in the exercise of its discretion (Matter of Reed v. Board of Standards and Appeals, supra, p. 136). The board appears to have acted upon a reasonable basis and on sufficient evidence to permit the exercise of its discretionary powers and since it acted within its discretion its determination may not be set aside (Matter of Sima v. Board of Standards and Appeals, 278 App. Div. 785; Matter of Douglaston Civic Ass’n. Inc. v. Board of Standards and Appeals, 278 App. Div. 659; People ex rel. St. Albans Corp’n v. Connell, 257 N. Y. 73).

“The contention that the owner was required to show ‘practical difficulties’ or ‘unnecessary hardship’ is of no consequence. Under section 7 of the zoning resolution, such proof is not required but is required under section 21 of the zoning resolution (Reed v. Board of Standards and Appeals, supra, p. 135); Matter of Sima v. Board of Standards and Appeals, supra, p. 786). “Accordingly, the application of the respondents to vacate the order of certiorari and to dismiss the petition is granted and the determination of the board is affirmed. Settle order on notice.”

BZ—Vol. II, 752-29-BZ—Vol. II, 694-53-BZ and 462-57-BZ.

Minutes of Special Meeting, Friday Morning, June 27, 1958, Affecting Calendar Numbers 188-58-BZ, 189-58-BZ and 385-58-SR.

CALENDAR

DOCKET

New Cases filed up to June 24, 1958

- | <i>Cal. No.</i> | <i>Dept.</i> | <i>Premises Affected</i> |
|-----------------|--------------|---|
| 370-58-A | B.B. | 1122 East 21st Street, and 2021-2025 Avenue J, northwest corner, Block 7584, Lot 1, Borough of Brooklyn, Alt. 172-58—Class 3 construction, public use, school, stairways, ceiling, etc. |
| 371-58-BZ | B.M. | 245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan, Alt. 772-58, change in use from public bath to storage and shipping, residence use district. |
| 372-58-A | B.M. | 245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan, Alt. 772-58—re live load. |
| 373-58-BZ | B.B. | 3701 Henry Hudson Parkway, north east corner of Blackstone Avenue, Block 3417, Lot 246, Borough of The Bronx, Alt. 260-58—change in use Boys room to dance school, Doctor's office to art studio, residence use district. |
| 347-58-A | B.M. | 148 West 57th Street, south side, 225 feet east of 7th Avenue, Block 1009, Lot 55, Borough of Manhattan, Alt. 331-58 Class 3 construction, commercial use. |
| 375-58-A | B.M. | 10-16 Wall Street, 1-9 Nassau Street, northwest corner and 7-11 Pine Street, Block 46, Lot 9, Borough of Manhattan, Alt. 803-58—re width of stairways. |
| 376-58-BZ | B.Bx. | 1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx, N.B. 397-58, erection gasoline service station, office and accessory store, lubritorium, inspection, laundry, parking and storage—business use district. |
| 377-58-SA | | Coleman Gas-fired Room Heater, Models 2111, 2112, 2113, 2115, 2116, 2117, 2118 manufactured by the Coleman Company, Inc., Appliance. |
| 378-58-A | B.Q. | 42-53 21st Street, east side, 59-87 feet north of 43rd Avenue, Block 427, Lot 24, Long Island City, Borough of Queens. M-141-58, re Sprinkler System. |
| 379-58-BZ | B.B. | 647 Madison Street, north side, 305 feet east of Reld Avenue, Block 1641, Lot 59, Borough of Brooklyn, Alt. 4121-58, re parking and storage—Residence use district. |
| 380-58-BZ | B.Bx. | 720 Astor Avenue, southwest corner of Cruger Avenue, Block 4343, Lot 36, Borough of Bronx, Alt. 414-58—re parking and storage—local retail and business use districts. |
| 381-58-BZ | B.Bx. | 670-674 East 226th Street, south side, 180 feet west of White Plains Road, Block 4827, Lots 78, 79, 81, Borough of The Bronx, Alt. 432-58—re parking and storage—residence use district. |
| 382-58-A | B.R. | 3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, Richmond Town, Borough of Richmond (Under Section 35, General |

City Law re curb cuts in bed of proposed widening of Richmond Road.) N.B. 86-58.

383-58-A—B.R.—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond (Under Section 35, General City Law re curb cuts in bed of proposed widening of Victory Boulevard). Alt. 422-57.

384-58-BZ—B.M.—1-15 East 106th Street, north side, 99 feet 10 inches, east of 5th Avenue and 2, 4, 6, 12 and 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 60, 62, 66, 67 68 and lot 5, Borough of Manhattan, Alt. 707-58—re parking and storage—residence use district.

385-58-SR—Rules—proposed rule for the interpretation of Section 19A of the Zoning Resolution of the City of New York re required off street loading berths for new construction enlargements and conversions, adoption of.

386-58-BZ—B.M.—616 East 19th Street, southwest corner of Foster Avenue, Block 5239, Lot 44, Borough of Brooklyn, Alt. 1406-58, G area district—setback required, residence use district.

Restored to Docket

123-58-A—Vol. II—B.M.—821-823 Broadway and 51 East 12th Street, northwest corner, Block 564, Lot 22, Borough of Manhattan, Alt. 939-57—re egress, stair enclosure.

111-56-A—Vol. II—F.D.—47-25—34th Street, northeast corner of 48th Avenue, Block 250, Lot 1, Long Island City, Borough of Queens, Decision re Permit for smoking, factory.

927-54-A—Vol. II—B.M.—2042-2050 Amsterdam Avenue, and 1033-1039 St. Nicholas Avenue, southwest corner, and 500-504 West 162nd Street, 2nd floor. Block 2120, Lot 23, Borough of Manhattan, Alt. 316-58, re exits and live load.

130-51-A—Vol. II—B.M.—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, 2nd floor, Borough of Manhattan, Amendment to BN 3406-57, re change in exit requirements.

599-57-BZ—Vol. II—B.B.—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn, N.B. 1214-57, re Gasoline Service Station, lubritorium, repairs, wash, storage, etc., increase in size—business use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

	Last Publication
Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11

CALENDAR

	Last Publication
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime) ..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior)	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply) ..	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
Smoking in Factories, Rules for..	Sept. 7, 1937—Vol. 22, No. 36
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	April 15, 1958.
Sprinkler, Rules	Mar. 4, 1958.
Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code) ..	June 7, 1932—Vol. 17, No. 23
	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

JULY 1, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, July 1, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan on the following matters:

247-54-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for David and Theodore Ain, Susie and Mario Marani and Theodore Kent Ain, owners.

SUBJECT—Application reopened March 4, 1958. As Vol. II—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the extension of the use of the existing gasoline service station located on the local retail portion of the premises by using the vacant portion in the residence use district for the parking and storage of more than five (5) motor vehicles for a term of years to coincide with the term of the variance granting the gasoline service station.

PREMISES AFFECTED—75-01 to 75-09 (75-05 official Parsons Boulevard, and 158-02 to 158-20 75th Avenue, southeast corner, Block 6823, Lot 1, Flushing, Borough of Queens.

10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

38-55-BZ—Vol. 11

APPLICANT—Paul Friedman, for Stellar Fuel Sales Corp., owner; Bertell's Service, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h & 7i of the Zoning Resolution, to permit for a term of years expiring July 12, 1970, the erection wholly within the business use district portion of the plot, which is partly in a business use district and partly in a residence use district, a proposed extension to an existing accessory building to be used for storage of automobile accessories and supplies, in connection with the existing gasoline service station, lubritorium, non automatic auto laundry, motor vehicle testing, light repairs with hand tools within the building, and parking and storage of more than (5) motor vehicles granted by the Board under Calendar No. 38-55-BZ.

PREMISES AFFECTED—534-544 Coney Island Avenue, southwest corner of Hinckley Place, Block 5343, Lot 13, Borough of Brooklyn.

1007-57-BZ

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein Department Store, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "C" area district, the one-story extension of a retail department store occupying more than the permitted area coverage.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

CALENDAR

1008-57-A

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein's Department Store, owner.

SUBJECT—Application December 19, 1957—Appeal from a decision of the Borough Superintendent, re stairs to be enclosed, continuous and lead from street to roof, etc.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

5-58-BZ

APPLICANT—Patrick D. Concagh, for Saverio S. Piscane, owner.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) cars on a vacant plot of land.

PREMISES AFFECTED—717-719 East 217th Street, north side, 130.35 feet east of White Plains Road, Block 4665, Lots 40 and 43, Borough of The Bronx.

931-57-BZ

APPLICANT—Albert Melniker, for The California Oil Co., owner; Isle Fuel Oil Service Co., lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking of more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—535 Vanderbilt Avenue and 1047 Van Duzer Street, northeast corner, Block 650, Lot 28, Concord, Borough of Richmond.

410-47-BZ—Vol. II

APPLICANT—Tobias Goldstone, for Nicoletta Daechille, owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re (decision of the Borough Superintendent) under section 7e of the Zoning Resolution, to permit in a business and residence use district, at an existing motor vehicle repair shop (wheel alignment and body and fender re-

pairs), auto laundry and open lubrication, the installation of four gasoline tanks, and four gasoline pumps on the adjoining portion acquired in 1948 and presently used for the parking of motor vehicles.

PREMISES AFFECTED—2908-2910 Nostrand Avenue, west side, 460 ft. north of Avenue P, Block 7690, Lots 79 and 80, Borough of Brooklyn.

126-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Celia Katz, owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a four story building with basement and cellar, the change in use of the basement from doctor's office and apartment to dressmaking and sales and the change in use of the first floor from two apartments to Photo Studio and Beauty Salon and the upper floors to retain their use as apartments.

PREMISES AFFECTED—38 East 63rd Street, south side, 182 feet east of Madison Avenue, Block 1377, Lot 45, Borough of Manhattan.

105-58-BZ

APPLICANT—Louis Lieberman, for Bernard Isacowitz, owner.

SUBJECT—Application February 27, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of an existing accessory garage, on a lot with a two-story dwelling, that encroaches on the required five (5) foot setback from the lot line.

PREMISES AFFECTED—138 Beach 149th Street, east side, 596 feet south of Rockaway Beach Boulevard, Block 788, Lot 43, Neponsit, Borough of Queens.

854-56-BZ

APPLICANT—Nathaniel C. Saxe, for Demitrios Dorizas, owner.

SUBJECT—Application December 11, 1956—(decision of the borough superintendent) under Section 7e of the Zoning Resolution, to permit in a residence use district, the conversion of the present living room to a beauty parlor in the existing three (3) story and basement frame structure.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

855-56-A

APPLICANT—Nathaniel C. Saxe, for Demetrios Dorizas, owner.

SUBJECT—Application December 11, 1956—Appeal from a decision of the Borough Superintendent, re frame building, business use.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

999-57-BZ

APPLICANT—Elias K. Herzog, for William W. Brill, et al., owners. Muriel S. Kessler and Rose H. Yarmark, partners.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises, after demolition of the existing tenement building, for the parking and storage of more than five (5) motor vehicles for a stated term of ten (10) years.)

PREMISES AFFECTED—136 Sullivan Street, north side, 75 feet west of Prince Street and 197 Prince Street, west side, 100 feet north of Sullivan Street, Block 518, Lots 41 and 46, Borough of Manhattan.

CALENDAR

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michlena De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of offices, lubritorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

Laid over from June 24, 1958, to July 1, 1958, for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses it contained.

648-20-BZ—Vol. II

APPLICANT—Albert Melniker, for Samuel Jaeger, owner; Staten Island Oil Company, lessee.

SUBJECT—Application reopened September 24, 1957, as Vol. II—re decision of the Borough Superintendent, under sections 7a, 7c and 7A of the Zoning Resolution, to permit in a retail and residence use district, an extension of the present uses of a gasoline service station to include a one-bay lubritorium, accessory parking in the retail district and the installation of the necessary curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3940-3952 Amboy Road and 2-20 Hillside Terrace, southwest corner, Block 5142, Lot 22, Great Kills, Borough of Richmond.

Laid over from April 15, 1958, to June 3, 1958, for inspection, revised plans and decision; hearing closed; then to July 1, 1958, for continuation of hearing and decision; application to file revised plans.

1017-57-A

APPLICANT—Albert Melniker, for Samuel Jaeger, owner; Staten Island Oil Co., lessee.

SUBJECT—Application December 27, 1957—filed pursuant to section 35, General City Law re building partially in bed of a mapped street—proposed widening of Amboy Road.

PREMISES AFFECTED—3952 Amboy Road and 2 Hillside Terrace, southwest corner, Block 5142, Lot 22, Great Kills, Borough of Richmond.

273-39-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Emma Ekholm and Charles Kotan, owners.

SUBJECT—Application reopened March 25, 1958—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, storage, office and sales and parking of cars waiting to be serviced with curb cuts and ground sign within 75 feet of a residence use district for temporary term of fifteen (15) years.

PREMISES AFFECTED—196-45 to 196-49 (196-47 of-

ficial) Northern Boulevard and 42-50 to 42-72 Francis Lewis Boulevard, northwest corner, Block 5373, Lots 18 and 22, Bayside, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

108-58-BZ

APPLICANT—Samuel Rosenblum, for Yadbob Realty Corp., owner; Samoroff Building Inc., lessee.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, in an existing three-story building, the change in use of the first floor from non-storage garage for five (5) cars to garage, photographic studio and darkroom and to continue the use of the second and third floors as dwellings.

PREMISES AFFECTED—172 East 73rd Street, south side, 175 feet west of 3rd Avenue, Block 1407, Lot 44, Borough of Manhattan.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

716-56-BZ—Vol. II

APPLICANT—Larry Meltzer, for Jewish Center of New Hyde Park, Inc., owner.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a C area district, the erection of an extension to a present synagogue and occupying more than the permitted area.

PREMISES AFFECTED—771-779 East 49th Street, east side, 100 feet north of Avenue D, Block 4770, Lots 50, 52 and 53, Borough of Brooklyn.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

158-23-BZ—Vol. II

APPLICANT—Philip Freshman, for Empire State Warehouse Corp., owner.

SUBJECT—Application reopened March 4, 1958 Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the change in occupancy of an existing (9) nine-story building together with the adjoining eight (8) story and penthouse building and one-story garage from warehouse and garage to warehouse in the basement and first floor with accessory garage and the use of the upper floors for light manufacturing.

PREMISES AFFECTED—372-390 Gates Avenue and 390 Nostrand Avenue, southwest corner, Block 1812, Lot 42, Borough of Brooklyn.

Laid over from June 10, 1958 to July 1, 1958, for inspection and decision; hearing closed.

107-58-BZ

APPLICANT—Frederick A. Ketcher, for Rayco Corporation, owner; Flatbush Rayco Inc., lessee.

SUBJECT—Application March 6, 1958—decision of the Borough Superintendent, under sections 7c, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, a permanent variation to permit the installation of auto seat covers and minor motor vehicle repairs with hand tools, limited to muffler and tailpipe installation and service and a temporary variation to permit the parking of more than five (5) motor vehicles for patrons.

PREMISES AFFECTED—2385 Flatbush Avenue and 1953-1961 East 51st Street, southeast corner, Block 8529, Lot 7, Borough of Brooklyn.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

881-57-BZ

APPLICANT—Max Horn, for Peter P. Bendzlowicz, owner.

SUBJECT—Application December 10, 1957—decision of the

CALENDAR

Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the relocation, into a recently consolidated lot, and the reconstruction of a gasoline service station, lubritorium, office, sale of auto parts, minor auto repairs and the parking of cars awaiting service, this change is required due to the proposed widening of the two streets on which the building has frontage.

PREMISES AFFECTED—259-59 Francis Lewis Boulevard and 147-60 Hook Creek Boulevard, northeast corner, Block 13686, Lot 5, Rosedale, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

544-26-BZ—Vol. III

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the construction of a fifth floor and bulkhead to an existing four story and cellar building used as a telephone exchange, the proposed extension to exceed the permitted height.

PREMISES AFFECTED—676-680 (680 Official) Fairview Avenue and 1928-1944 Gates Avenue, southeast corner, Block 3478, Lot 31, Ridgewood, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

27-58-BZ

APPLICANT—John F. Fitzsimons, for Esther Lynch, owner.

SUBJECT—Application January 28, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction of a building to be used as a plumber shop, office, store, cellar and one car garage.

PREMISES AFFECTED—45-25 47th Street, east side, 117.12 feet south of Greenpoint Avenue, Block 151, Lot 23, Woodside, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958, for inspection and decision; hearing closed.

259-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sherwood Management Corp., owner; Lamar Paint Products Co., lessee.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district for a temporary period of ten (10) years, the use of the present building for wholesale and retail sales and storage of paints, painters supplies and varnish in sealed containers.

PREMISES AFFECTED—83-45 Dongan Avenue, north side, 40 feet west of Broadway, Block 1544, Lot 39, Elmhurst, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958, for decision; hearing closed.

312-57-BZ

APPLICANT—Louis Lieberman, for F. and R. Realty Corp., owner.

SUBJECT—Application April 17, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the continuance of an existing illuminating business sign, two (2) feet high and forty (40) feet wide on the existing two-story structure.

PREMISES AFFECTED—94-00 Ditmars Boulevard, 22-01 to 22-73 94th Street, southeast corner, 22-02 to 22-50 and 22-62 to 22-70 95th Street and 94-01 to 94-21 23rd Avenue, Block 1071, Lots 1, 25, 27, 29, 31 and 37, Jackson Heights, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958 for inspection and decision, hearing closed.

1106-48-BZ—Vol. II

APPLICANT—Michael Levine, for Lucky Star Realty Corp., owner.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "E-1" area district, the erection of a one story and basement building to be used for factory purposes, the proposed building encroaches on the required side yard and setbacks and to occupy more than the permitted area coverage.

PREMISES AFFECTED—149-06 to 149-16 (149-10 official) New York Boulevard and 177-22 to 177-30 149th Avenue, southwest corner, Block 13383, Lots 63, 66 and 69, South Ozone Park, Borough of Queens.

Laid over from June 3, 1958 to June 10, 1958 at the request of the applicant; then to June 17, 1958, at request of an objector; then to July 1, 1958, for inspection and decision; hearing closed.

140-58-BZ

APPLICANT—Haus and Bresin, for The Cord Meyer Co., owner.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of auto washing—non automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—93-24 Roosevelt Avenue and 40-02 to 40-10 94th Street, southwest corner, Block 1562, Lot 25, Elmhurst, Borough of Queens.

Laid over from June 17, 1958, to July 1, 1958, for inspection and decision; hearing closed.

622-57-BZ

APPLICANT—Sidney H. Kitzler, for Beth Shalom of Kings Bay, owner.

SUBJECT—Application September 11, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the enlargement of the first floor and the erection of a second floor to an existing one-story synagogue that will occupy more than the permitted area coverage.

PREMISES AFFECTED—2702-2710 Avenue X and 2401-2411 East 27th Street, southeast corner, Block 7422, Lot 801, Borough of Brooklyn.

Laid over from June 17, 1958, to July 1, 1958, for inspection and decision; hearing closed.

116-53-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Leo Levy, owner.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry—non automatic, motor vehicle repairs with hand tools only, office, sales and parking of cars awaiting service, all for a term of fifteen (15) years.

PREMISES AFFECTED—162-25 Union Turnpike, northwest corner of 164th Street, Block 6852, Lot 17, Flushing, Borough of Queens.

Laid over from June 17, 1958, to July 1, 1958, for inspection and decision; hearing closed; applicant to amend plans to show Veterans' Memorial Park and statement to include proposed tenant's or purchaser's name.

128-58-BZ

APPLICANT—Charles M. Spindler, for Robert Miller, owner; Esso Standard Oil Co., lessee.

SUBJECT—Application March 13, 1958—decision of the

CALENDAR

Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry—non automatic, office, sale of accessories, minor repairs for adjustments with hand tools only, safety inspection station and parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—285-303 Oakland Street, west side, from India Street to Java Street, Block 2541, Lot 30, Borough of Brooklyn.

Laid over from June 17, 1958 to July 1, 1958, for inspection and decision; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent under sections 7e and 7h of the zoning resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 ft. south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans.

545-57-BZ

APPLICANT—Leonard F. Rothkrug, for Maria Gitto, doing business as Joseph Gitto and Sons, owners.

SUBJECT—Application July 19, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, C area district, the change in occupancy and extension of a one family dwelling and four car garage to wholesale grocery storage occupying more than the permitted area.

PREMISES AFFECTED—155 Hopkinson Avenue, east side, 25 feet north of Hull Street and 101 Hull Street, north side, 70 feet east of Hopkinson Avenue, Block 1533, Lot 2, Borough of Brooklyn.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed; applicant to correct photograph.

546-57-A

APPLICANT—Leonard F. Rothkrug, for Maria Gitto, doing business as Joseph Gitto and Sons, owners.

SUBJECT—Application July 19, 1957—Appeal from a decision of the Borough Superintendent, re Class 4 structure-commercial use.

PREMISES AFFECTED—155 Hopkinson Avenue, east side, 25 feet north of Hull Street and 101 Hull Street, north side, 70 feet east of Hopkinson Avenue, Block 1533, Lot 2, Borough of Brooklyn.

172-58-BZ

APPLICANT—Gabriel Nathan, for Arverne Associates, Inc., owner.

SUBJECT—Application March 31, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles to be used in conjunction with that part of the parking lot located in the business use district.

PREMISES AFFECTED—212-220 Beach 70th Street, east side, 100 feet north of Rockaway Beach Boulevard, Block 534, Lot 68, Arverne, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

61-58-BZ

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the erection of a one family dwelling that encroaches on the required setback in the front and side yards.

PREMISES AFFECTED—49-04 Hanford Street, west side, 365.83 feet north of 51st Avenue, Block 8167, Lot 92, Douglaston, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

62-58-A

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—filed pursuant to section 35, General City Law re proposed stairs and walks in bed of a mapped street and a decision of the Borough Superintendent re ceiling height and garage level.

PREMISES AFFECTED—49-04 Hanford Street, west side, 365.83 feet north of 51st Avenue, Block 8167, Lot 92, Douglaston, Borough of Queens.

63-58-BZ

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the erection of a one family dwelling that encroaches on the required setback in the front and side yards.

PREMISES AFFECTED—48-18 Hanford Street, west side, 440.79 feet north of 51st Avenue, Block 8167, Lot 85, Douglaston, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

64-58-A

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—filed pursuant to section 35, General City Law re Stairs and Walk in bed of mapped street and a decision of the Borough Superintendent re height of ceiling and garage level.

PREMISES AFFECTED—48-18 Hanford Street, west side, 440.79 feet north of 51st Avenue, Block 8167, Lot 85, Douglaston, Borough of Queens.

992-57-BZ

APPLICANT—Victor G. Madonia, for Jacob Feldman, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairing, office, sales, storage room and parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—109-50 Merrick Boulevard, southwest corner of 109th Road, Block 10189, Lot 8, South Jamaica, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

173-58-BZ

APPLICANT—Gabriel Nathan, for Helen Nemeth, owner.

SUBJECT—Application March 31, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of an open parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—46-15 to 46-27 (46-21) Rockaway Beach Boulevard, and 202-216 Beach 47th Street, southeast corner, Block 328, Lots 39 and 139, Edgemere, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

CALENDAR

174-58-A

APPLICANT—Gabriel Nathan, for Helen Nemeth, owner.
SUBJECT—Application March 31, 1958—filed pursuant to section 35, General City Law re premises partly in bed of mapped street—proposed widening of Rockaway Beach Boulevard.

PREMISES AFFECTED—46-15 to 46-27 (46-21) Rockaway Beach Boulevard and 202-216 Beach 47th Street, southeast corner, Block 328, Lots 39 and 139, Edgemere, Borough of Queens.

803-57-BZ

APPLICANT—Hyman Muss, for Willets Point Taxpayers Inc., owner.

SUBJECT—Application November 7, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection of a two-story building to be occupied on the first floor with stores and a motion picture theatre and the use of the second floor for offices and projection room.

PREMISES AFFECTED—19-05 to 19-11 Francis Lewis Boulevard, southeast corner of 160th Street, Block 4758, Lot 145, Whitestone, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

909-57-BZ

APPLICANT—Aaron Halpern, for Wiljay Contracting Co., Inc., owner.

SUBJECT—Application December 12, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, a one-story extension to an existing non-storage, 4 car garage to be used for the storage of contracting equipment which is now legally stored in an open yard, the proposed extension to occupy more than the permitted area coverage.

PREMISES AFFECTED—152-15 14th Road, north side, 101.94 feet east of 152nd Street and 152-10 13th Avenue, Block 4541, Lot 22, Whitestone, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

172-16-BZ—Vol. II

APPLICANT—Herman Kron, for Banner Oil Company, Inc., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re (decision of the Borough Superintendent) under sections 7c and 7h of the zoning resolution to permit in a business and residence use district, the reconstruction of an existing gasoline service station, minor auto repairs with hand tools only, auto laundry, garage for more than five (5) cars and parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing garage.

PREMISES AFFECTED—31-37 Church Avenue, north side, 100 feet east of Chester Avenue, Block 5313, Lots 34 and 38, Borough of Brooklyn.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed.

335-35-BZ—Vol. IV

APPLICANT—Burke, Green and Groh, for Anrob Realty Co., Inc., owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete, expired April 30, 1958—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a residence use district, the extension of the existing use of a storage warehouse (stores, plumbing fixtures, etc.), 5 car garage and loading platform.

PREMISES AFFECTED—167-01 to 167-11 108th Road, northeast corner of 167th Street, Block 10176, Lot 12, Jamaica, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for applicant to file decision of the Borough Superintendent.

348-56-BZ

APPLICANT—Burke, Green and Groh, for Mary Ryback, owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete (expired April 30, 1958)—decision of the Borough Superintendent previously granted on condition under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, office, sales room, car wash—non automatic, minor repairs and parking for more than five (5) motor cars waiting for service.

PREMISES AFFECTED—175-15 Rockaway Boulevard, southeast corner of 149th Avenue, Block 13381, Lot 30, Springfield Gardens, Borough of Queens.

Laid over from June 24, 1958, to July 1, 1958, for applicant to file decision of the Borough Superintendent.

264-56-BZ

APPLICANT—Henry Nordheim, for Joseph Torres, owner.

SUBJECT—Application reopened June 3, 1958 for consideration as to extension of time to complete, expired January 23, 1958—decision of the Borough Superintendent, previously granted on condition, under Section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a term of years.

PREMISES AFFECTED—1178 Pugsley Avenue and 2000 Gleason Avenue, southeast corner, Block 3802, Lots 6 and 9, Borough of The Bronx.

Laid over from June 24, 1958, to July 1, 1958, for further consideration and decision.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—(decision of the Borough Superintendent) under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northeast corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then to July 1, 1958, for inspection applicant to submit information as to adjoining gas stations and for decision; attorney for objector to be notified if and when date for determination is set.

39-58-BZ

APPLICANT—Julian Roth of Emery Roth and Sons for Bankers Trust Co., and Metropolitan Life Insurance Co., owners.

SUBJECT—Application January 14, 1958—decision of the Borough Superintendent, under section 19A and 21 of the Zoning Resolution, to permit the separation of Lot 67 from the Certificate of Occupancy of Lot 1 and extend the 12 story building on Lot 69 to 19 stories and erect thereto a 19 story extension of Lot 67, eliminating the required loading and unloading berth.

PREMISES AFFECTED—2-4 East 44th Street and 523-529 5th Avenue, southeast corner, Block 1278, Lots 67 and 69, Borough of Manhattan.

CALENDAR

Laid over from May 27, 1958, for applicant to send out new notices by regular mail for hearing on June 3, 1958; then to June 10, 1958 for further consideration; then to June 17, 1958, because of the fact that the Corporation Council asked for time to render an opinion as to the adequacy of the agreement; then to June 24, 1958, pending receipt of report from the Corporation Counsel as to the agreement; hearing closed; then to July 1, 1958, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman.*

JULY 1, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon*, July 1, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

281-58-A

APPLICANT—Burke, Green and Groh, for Sidney W. Saks, owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re conversion of frame building to school, re stairways, etc.

PREMISES AFFECTED—84-01 Midland Parkway, east side, 257.07 feet north of Henley Road, Block 9948, Lot 14, Jamaica Estates, Borough of Queens.

322-40-S—Vol. II

APPLICANT—Arnold A. Arbeit, for 192 Associates, Inc., owner.

SUBJECT—Application reopened February 26, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re egress.

PREMISES AFFECTED—192 Broadway and 1-11 John Street, northeast corner, Block 79, Lot 15, Borough of Manhattan.

341-58-A

APPLICANT—Tobias Goldstone, for Young Israel of Flatbush, owner.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re Class III construction, public use, re stairs, etc.

PREMISES AFFECTED—1300-1308 Coney Island Avenue, west side, 320 feet north of Avenue J, Block 6523, Lot 85, Borough of Brooklyn.

72-58-A

APPLICANT—Leonard F. Rothkrug, Samuel Gardstein and Son, for Irving and Alexander Lifton, doing business as L.B. Electric Supply Co., owners.

SUBJECT—Application February 21, 1958—Appeal from a decision of the Borough Superintendent, re width of stairs and doors, thickness of walls, etc.

PREMISES AFFECTED—5202-5208 New Utrecht Avenue, southwest corner of 52nd Street, Block 5662, Lots 17, 20, 21 and 22, Borough of Brooklyn.

761-57-A

APPLICANT—Sidney Daub, for Broadway Pastry Shop, Inc., owner.

SUBJECT—Application October 24, 1957—Appeal from a decision of the Borough Superintendent, re egress, factory building.

PREMISES AFFECTED—252-254 West 28th Street, south side, 155 feet, 6 inches east of 8th Avenue, 2nd floor; Block 777, Lot 72, Borough of Manhattan.

304-58-A

APPLICANT—Paul Trapani, for Florence Trapani, owner.

SUBJECT—Application May 16, 1958—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Sections 171(1) and 172(2) and Section 172(3), re Bulk and volume, yard area, etc.

PREMISES AFFECTED—636-644 Burke Avenue, southwest corner of Barker Avenue, 1st floor, Block 4543, Lot 26, Borough of The Bronx.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

361-22-A—Vol. II

APPLICANT—Brooklyn Borough Gas Company, owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—Appeal from orders and a decision of the Fire Commissioner, re foam extinguishing system.

PREMISES AFFECTED—873 Neptune Avenue, north side, 146.90 feet east of West 12th Street, Block 7247, Lots 22, 100, 106, 114, 122, 265 and 320, Borough of Brooklyn.

355-58-A

APPLICANT—Albert B. Bauer, for Department of Public Works, City of New York, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re exits, wood shelves, etc.

PREMISES AFFECTED—112-114 East 96th Street, south side, 165 feet west of Lexington Avenue, Block 1524, Lot 64, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 8, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, July 8, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

870-57-BZ

APPLICANT—Jerome W. Perlstein, for Jack Perlow, owner.

SUBJECT—Application November 21, 1957—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a "G-1" area district, the erection of a one-story extension to an existing two-story, one family dwelling to be used in conjunction with the dental office on the first floor, the proposed extension to encroach on the required rear yard.

PREMISES AFFECTED—75-85 182nd Street and 182-01 Union Turnpike, northeast corner, Block 7199, Lot 48, Flushing, Borough of Queens.

196-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, carwashing, office and sales room, minor auto repairs and parking of more than five cars.

PREMISES AFFECTED—2590-2604 Bailey Avenue and 2587-2601 Heath Avenue, northeast corner, Block 3239, Lot 1, Borough of The Bronx.

674-49-BZ—Vol. II

APPLICANT—Patrick D. Concagh, for Saverio and Peter Boffoli, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story structure for use as stores, storage of beer and soda,

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loading and unloading with patron parking and curb cuts for commercial use for a stated term of fifteen (15) years.
PREMISES AFFECTED—4391-4399 Baychester Avenue and 1960-1968 Nereid Avenue, southwest corner, Block 5056, Lot 38, Borough of The Bronx.

940-57-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Frank Letizia, doing business as Rainbow Beverage Co., owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a soda bottling factory for a term of twenty (20) years.

PREMISES AFFECTED—2254 Light Street and 3787 Merrit Avenue, southwest corner, Block 4951, Lot 47, Borough of The Bronx.

623-49-BZ—Vol. II

APPLICANT—Theron R. Galloway, for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 9A of the Zoning Resolution, to permit in a one and one-half height district, the erection of two additional generating units with twin stacks and transmission towers having a height in excess of that permitted within two (2) miles of a designated air port.

PREMISES AFFECTED—East River, 800 feet north of 20th Avenue; 19-39 20th Avenue, Block 850, Lots 1 and 2, Astoria, Borough of Queens.

942-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools, sale of accessories and parking for more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

204-58-A

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application April 7, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Richmond Avenue.

PREMISES AFFECTED—3881 Richmond Avenue 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

339-32-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty Inc., owner.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence, business and manufacturing use district, on a plot developed with two (2) buildings, the change in use of one building from storage and seasoning of pickles and tomatoes to the manufacture of incombustibles and the change in use of the second building from furniture storage and warehouse to auto glass shop, mixing of lubricating oils, and knitting and spinning with a one-family apartment, and to have accessory loading and unloading with parking on the unbuilt upon portion of more than five (5) cars.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street and 200-208 Minna Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

278-58-A

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty, Inc., owner.

SUBJECT—Application February 26, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

1004-57-BZ

APPLICANT—Henry J. Nurick, for Mrs. Palma Campbell, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one-story building from cooperage and barrel factory to a motor vehicle repair shop for body and fender repairs.

PREMISES AFFECTED—434-440 Manhattan Avenue, southeast corner of Bayard Street, Block 2724, Lot 7, Borough of Brooklyn.

971-41-BZ—Vol. III

APPLICANT—Herman Kron, for Charlotte K. Mark, owner, Brooklyn Parking Corp., lessee.

SUBJECT—Application reopened July 23, 1957 as Vol. III—re (decision of the Borough Superintendent) under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the extension of the existing parking lot for the parking and storage of more than five (5) motor vehicles by the addition thereto of the adjoining lot.

PREMISES AFFECTED—32-44 Clinton Street, west side, 105 ft. north of Pierrepont Street, Block 238, Lots 65 and 70, Borough of Brooklyn.

118-58-BZ

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and local retail use district, the change in use of an existing two and three story building, which were formerly two buildings and legally connected, from garage for more than five (5) cars and commercial garage to manufacturing of plastic toys and novelties, storage and assembly and shipping of lacquer coating, the proposed floor space used is in excess of the lot.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street Block 1480, Lot 2, Borough of Brooklyn.

119-58-A

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—Appeal from a decision of the Borough Superintendent, re provide additional stair.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

756-57-BZ

APPLICANT—Paul Friedman, for Mary Falco, owner.

SUBJECT—Application October 23, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit for a term of (15) fifteen years in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, sale and storage of auto accessories.

PREMISES AFFECTED—132-140 East 107th Street and 1710-1712 Lexington Avenue, southwest corner, Block 1634, Lot 158, Borough of Manhattan.

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88-58-BZ

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the change in use within the existing building from theatre to bowling alley.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Avenue, Block 6022, Lot 22, Bayside, Borough of Queens.

89-58-A

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent; re stairways, exit, marquee, etc.

PREMISES AFFECTED—199-03 32nd Avenue, north side 20 feet east of Jordan Street, Block 6022, Lot 22, Bayside, Borough of Queens.

426-57-BZ

APPLICANT—Patrick D. Concagh, for Moschella Homes, Inc., owner.

SUBJECT—Application June 6, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning resolution, to permit in a residence use, "D-1" area district, the erection of a one story class 3 building to be used for eight (8) retail stores and occupying more than the permitted area.

PREMISES AFFECTED—2509-2519 Eastchester Road, west side, 100 ft. north of Mace Avenue, Block 4480, Lot 78, Borough of the Bronx.

990-57-BZ

APPLICANT—Albert Melniker, for Richmond Motor Fuels Inc. owner

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under sections 7c, 7e, and 7f of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and the parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing motor vehicle repair shop, located in the residence portion of the plot for a stated term of fifteen (15) years.

PREMISES AFFECTED—170-186 Gordon Street and 250-258 Broad Street, southwest corner, Block 563, Lot 72, Stapleton, Borough of Richmond.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

850-56-BZ

APPLICANT—Maurice G. Uslan, for Jewish Community Center, owner.

SUBJECT—Application December 7, 1956—decision of the Borough Superintendent under sections 7a and 21 of the Zoning Resolution, to permit in an E area district, the construction of a two story and part three story addition to an existing community center occupying more than the permitted area having less than the required setback, side yard and rear yard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

314-58-A

APPLICANT—Maurice G. Uslan, for Jewish Community Center, owner.

SUBJECT—Application May 12, 1958—filed pursuant to section 35, (3), General City Law—re alteration of existing building partially in bed of a mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Queens.

811-51-BZ—Vol. II

APPLICANT—Nathaniel C. Saxe, for Wides Motor Sales Corp., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7e and 7h of the zoning resolution, to permit in a residence use district, the erection and maintenance of a one-story building for use as a motor vehicle repair shop (hand tools only) to be used in conjunction with the existing automobile showroom with parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises.

PREMISES AFFECTED—14-06 to 14-16 Beach Channel Drive and 21-32 to 21-42 Nameoke Avenue, northeast corner, Block 8, Lot 1, Far Rockaway, Borough of Queens.

66-58-BZ

APPLICANT—John J. Tricarico, for Empire Fuel Co., owner.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the change in use of an existing one-story building from office, garage for five (5) trucks and storage of riggers equipment to office and storage of fuel delivery trucks.

PREMISES AFFECTED—1638 8th Avenue, west side, 100 feet south of Windsor Place, Block 1112, Lot 52, Borough of Brooklyn.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

350-57-BZ—Vol. II

APPLICANT—Burke, Green and Groh for Joseph B. Weynert.

SUBJECT—Application reopened June 10, 1958 as Vol. II—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of a two-story building for use as doctor's office on the first floor and two efficiency apartments on the second floor having less than the required setback of 10 feet from a mapped street and without the required five (5) foot side yard.

PREMISES AFFECTED—58-44 Main Street, west side of, 20.74 feet north of 59th Avenue. Block 6378, Lot 40. Flushing, Borough of Queens.

1178-40-BZ—Vol. II

APPLICANT—Michaels and Michaels and Wigdor, for Trustees of Columbia University, owner; Jacob Goldstein, lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired April 14, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f of the Zoning Resolution, permitting in a residence and business

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use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—309 East 34th Street, north side, 100 feet east of 2nd Avenue, 300-304 East 35th Street and 634-640 2nd Avenue, southeast corner, Block 940, Lots 8, 58, 59, 60 and 61, Borough of Manhattan.

224-57-BZ

APPLICANT—Haus and Bresin, for Adele Wilson and Elsie Katz, owners.

SUBJECT—Application March 26, 1957—(decision of the borough superintendent) under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a gasoline service station, auto washing, lubrication, offices, sale of auto accessories and minor repairs with hand tools only for the stated term of fifteen (15) years.

PREMISES AFFECTED—72-01 to 72-11 (72-05 official) Northern Boulevard, and 32-59 to 32-69 72nd Street, northeast corner, Block 1168, Lots 42 and 46 (42-new), Jackson Heights, Borough of Queens.

Laid over from October 1, 1957, to October 8, 1957, at the request of an objector; then to November 19, 1957, for inspection and decision; hearing closed; then to December 10, 1957, for further inspection and decision; then to January 7, 1958, for further consideration and decision; then laid over from January 7, 1958, for decision; date to be set; then set for May 6, 1958; then

Laid over; date to be set after applicant has filed administrative appeal; then set for July 8, 1958.

322-58-A

APPLICANT—Haus and Bresin, for Adele Wilson and Elsie Katz, owners.

SUBJECT—Application May 16, 1958—filed pursuant to Section 35, General City Law re building in bed of mapped Street—72nd Street.

PREMISES AFFECTED—72-01 to 72-11 (72-05 official) Northern Boulevard, and 32-59 to 32-69 72nd Street, northeast corner, Block 1168, Lots 42 and 46 (42 new), Jackson Heights, Borough of Queens.

209-58-BZ

APPLICANT—Lama, Proskauer and Prober, for David and Joseph Goldstein, and Nathan Machimson, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7c and 21 of the Zoning Resolution, to permit on a plot partly in a C area and partly in an E-1 area district, the erection of a six-story multiple dwelling extending into the E-1 area district, the portion in the E-1 area district occupies more than the permitted area, eliminates the required setback and side yard and having less than the required outer court.

PREMISES AFFECTED—1140-1146 Pelham Parkway South and 2140-2150 Williamsbridge Road, southeast corner, Block 4310, Lots 1 and 53, Borough of the Bronx.

Laid over from June 17, 1958 to July 8, 1958 for inspection and decision; hearing closed.

783-55-BZ

APPLICANT—Hurley and Hughes, for Managements Audits, Inc., owners.

SUBJECT—Application September 30, 1955—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change of use of the present four story, one family residence, to offices in the basement, first and second floors and the third and fourth floors as a duplex apartment.

PREMISES AFFECTED—125 East 38th Street and 314 Lexington Avenue, northwest corner, Block 894, Lot 17, Borough of Manhattan.

Laid over from June 17, 1958, to July 8, 1958, for applicant to correct papers and for inspection and decision; hearing closed.

645-57-A

APPLICANT—Hurley and Hughes, for Management Audits, Inc., owner.

SUBJECT—Application August 18, 1957—Appeal from a decision of the Borough Superintendent, re stair enclosures, Class 3 construction—use of 4th floor to remain vacant, etc.

PREMISES AFFECTED—125 East 38th Street and 314 Lexington Avenue, northwest corner, Block 894, Lot 17, Borough of Manhattan.

14-58-BZ

APPLICANT—Frederick A. Ketcher, for Benjamin Kurtin and Louis Fayne, Partners.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1268 Shakespeare Avenue, east side, 100.3 feet, south of West 169th Street, Block 2506, Lot 85, Borough of The Bronx.

Laid over from June 17, 1958, to July 8, 1958, for inspection and decision; hearing closed.

81-58-BZ

APPLICANT—James E. Vassalotti, for Thomas A. Can-gem, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the change in use of two adjoining one-story buildings from processing and fabricating of gold for jewelry manufacturing and storage of five (5) motor vehicles to a garage for the parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—267-269 Elizabeth Street, west side, 83 feet, 5¾ inches south of East Houston Street, Block 508, Lot 28, Borough of Manhattan.

Laid over from June 17, 1958, to July 8, 1958, for inspection and decision; hearing closed.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of a residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7c and 7h of

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the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

85-58-BZ

APPLICANT—Goldwater and Flynn, for Peerless Operating Corp., and 32 East 1st Street Realty Corp., owners.

SUBJECT—Application February 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, after demolition of the two existing buildings, the erection and maintenance of a gasoline service station, lubricatorium, car washing, office, storage and parking of more than five (5) motor vehicles and minor auto repairs.

PREMISES AFFECTED—20-24 2nd Avenue and 30-32 East 1st Street, northeast corner, Block 443, Lots 1 and 62, Borough of Manhattan.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

18-58-BZ

APPLICANT—Patrick D. Concagh, for Marie A. Peduto, owner; International Mill Work Corp., lessee.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the change in use in the premises from factory to saw and planing mill.

PREMISES AFFECTED—3308 Edson Avenue, northeast corner of Givan Avenues, Block 4881, Lots 75 and 77, Borough of The Bronx.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

59-58-BZ

APPLICANT—J. G. L. Molloy for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing twelve (12) story and penthouse building, from multiple dwelling to offices.

PREMISES AFFECTED—140 East 40th Street, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

60-58-A

APPLICANT—J. G. L. Molloy, for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—Appeal from a decision of the Borough Superintendent, re live load.

PREMISES AFFECTED—140 East 40th Street, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

298-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of the present building from furniture showroom to supermarket.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

299-58-A

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application April 14, 1958—Appeal from a decision of the Borough Superintendent, re stairs, live load, etc.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

949-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Pelham Bridge Realities, Inc., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7f, 7e and 7A of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, car wash, lubricatorium, minor repairs with hand tools only, office, sale of accessories with show windows and business entrances within 75 feet of the residence use district.

PREMISES AFFECTED—2100-2110 Williamsbridge Road and 1141-1151 Lydig Avenue, northeast corner, Block 4310, Lots 30 and 33, Borough of The Bronx.

Laid over from June 3, 1958, to June 24, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for inspection and decision; hearing closed.

915-57-BZ

APPLICANT—Charles A. Buckley, Jr., for Stanton Management Inc., owner.

SUBJECT—Application December 16, 1957—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, office, lubricatorium, minor repairs, sale of auto accessories, auto laundry and the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3625 Eastchester Road, 1495-1499 Oakley Avenue, northwest corner and 1144-1148 East 222nd Street, Block 4716, Lot 28, Borough of The Bronx.

Laid over from June 3, 1958, to June 24, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for further inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

JULY 8, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon*, July 8, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

349-55-SM

APPLICANT—Air-Maze Corporation, owner. John B. Hewett Co., Inc., Agent.

SUBJECT—Application May 2, 1955—Air-Maze Corporation Greastop Filter (kitchen range grease filter), approval of.

350-55-SM

APPLICANT—Continental Air Filter Company, owner.

SUBJECT—Application May 2, 1955—Continental E-Z Wash Grease Filter, Type GW, approval of.

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352-55-SM

APPLICANT—Air Devices Inc., owner.
SUBJECT—Application May 2, 1955—Agitair Grease Filters, approval of.

354-55-SM

APPLICANT—Dollinger Corporation, owner.
SUBJECT—Application May 2, 1955—Dollinger Corporation, Grease Filter, Model PVR, approval of.

154-56-SA

APPLICANT—Pennsylvania Furnace & Iron Co., owner; Fullerton Equipment Corp., agent.
SUBJECT—Application February 16, 1956—Pennsylvania Sheet Steel Gas-Fired Furnaces, Models 55, 10A and Industrial Type, approval of.

646-56-SA

APPLICANT—Weil-McLain Company, owner. JL Plbg. & Htg. Supply Corp., Agent.
SUBJECT—Application September 10, 1956—Weil-McLain Gas Boiler Type J, Sizes J-6 through J-41, approval of.

694-56-SA

APPLICANT—Chas. M. Shapiro, for Manhattan Blower Corporation, owner.
SUBJECT—Application September 19, 1956—Manhattan Gas Fired Industrial paint drying oven, approval of.

699-56-SA

APPLICANT—Deerfield Machine Works, owner.
SUBJECT—Application September 25, 1956—Deerfield Horizontal Rotary Oil Burner, Models DD Sizes F, G and H Model BD sizes D, E, F, G, H, J and K, approval of.

245-57-SA

APPLICANT—General Electric Company, Air Conditioning Division, owner.
SUBJECT—Application March 12, 1957—General Electric Gas-fired Warm Air Furnace, Models 21LG10K, 21LG15K, 21LG20K, 21LG25K, 21LG30K, 21LG40K, 21LG10KS, 21LG15KS and 21LG20KS, approval of.

660-57-SA

APPLICANT—John Wood Company, owner, R. E. McIntyre, Agent.
SUBJECT—Application August 15, 1957—John Wood Fluid Heat Gas Fired Furnaces, approval of.

855-57-SM

APPLICANT—Kuhns Brothers Company, owner.
SUBJECT—Application November 12, 1957—"K" Pipe Lock Coupling, Model 400D, approval of.

856-57-SM

APPLICANT—Kuhns Brothers Company owner.
SUBJECT—Application November 12, 1957—"K" Pipe Lock Coupling, Model 800-D, approval of.

21-58-SA

APPLICANT—Samuel Carr, for Mercury Molding Machinery, Inc., owner.
SUBJECT—Application January 6, 1958—Mercury Roto-Molder Models SD2, SD3, and SD4, approval of.

266-34-SA

APPLICANT—Iron Fireman Manufacturing Company, new owner.
SUBJECT—Application for consideration for reopening and amendment of resolution as to change of ownership from Scaife Company to Iron Fireman Manufacturing Company—Timken Silent Automatic Oil Burner, Model G and OCO-21 previously approved.

967-47-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened January 7, 1958 as to amendment of resolution as to glue—Douglas Fir Plyscord (plywood sheathing); previously approved.

577-49-SM—Vol. II

APPLICANT—Armstrong Cork Company, Inc., owner.
SUBJECT—Application for consideration for reopening and amendment of resolution as to marketing under additional trade name, National Gypsum Co.—"Acoustifer"—Armstrong's Cushiontone with factory application of Armstrong's Fire Resistant Paint; previously approved.

689-49-SM

APPLICANT—Insulrock Company, Division of The Flintkote Company, owner.
SUBJECT—Application reopening February 18, 1958 for amendment of resolution as to additional thickness of insulrock—re SK Insulrock Insulating Roof Deck; previously approved.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional trade name, A. O. Smith Corp., Permaglas, Model 55JZ—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

552-50-SA—Vol. III

APPLICANT—H. K. Woodward, for Bowser Inc., owner.
SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional models of gasoline dispensing pumps, 1500 Series—re Bowser Self-Contained Gasoline Pumps, Models, 520-A, 521, 525, 530, 575-A, 585, 595, 596 with or without suffix K, KR and R, Models 1100, 110R, 1101R, 1102; previously approved.

81-53-SM

APPLICANT—F. E. Schundler & Company, Inc., owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional use of Coralux—re Coralux Floor and Ceiling Construction (gypsum plaster); previously approved.

681-53-SA

APPLICANT—Speed Queen Corporation, owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models of gas-fired clothes dryers, Models 130, 131, 132 and 133—re Speed Queens Clothes Dryer (gas-fired) Models DG11 and DG12; previously approved.

489-54-SA

APPLICANT—Delco Appliance Division of General Motors Corp., owner.
SUBJECT—Application reopened November 13, 1957 for amendment of resolution as to additional models of oil burners, Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc. under Petroleum, Heat & Power Co., Models D-2 and D-3—Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

495-57-A

APPLICANT—V. Della Penna for Alvin Brand, owner.
SUBJECT—Application July 1, 1957—Appeal from a decision of the Borough Superintendent, re extension of outer wall, etc.
PREMISES AFFECTED—388 East 156th Street, south side, 50 feet west of Melrose Avenue, Block 2402, Lot 20, Borough of The Bronx.

CALENDAR

746-57-A

APPLICANT—Samuel Rosenblum, for Alma G. Roos, owner.

SUBJECT—Application October 10, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—147-149 West 22nd Street, north side, 249 feet, 6 inches east of 7th Avenue, Block 798, Lot 17, Borough of Manhattan.

496-57-A

APPLICANT—Harry Hurwit, for Joseph and Fannie Goldman, owners.

SUBJECT—Appeal filed June 20, 1957 from a decision of the Borough Superintendent relating to egress.

PREMISES AFFECTED—156 West 29th Street, south side, 149 feet 6 inches east of 7th Avenue, Block 804, Lot 69, Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 11, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning*, July 11, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

385-58-SR

Proposed Rule for the Interpretation of Section 19-A of the Zoning Resolution of the City of New York.

Laid over from June 27, 1958 to July 11, 1958, for further hearing and statement from the Real Estate Board of New York.

HARRIS H. MURDOCK, *Chairman.*

JULY 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, July 15, 1958 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

749-57-BZ

APPLICANT—Frederick A. Ketcher, for Louis Calder Foundation, owner (Kesbec, Inc., Lessee).

SUBJECT—Application October 21, 1957—(decision of the borough superintendent) under sections 7c, 7h, and 7i of the zoning resolution, to permit in a retail and residence use district, the permanent extension of the existing legal gasoline service station, and to permit the reconstruction and maintenance of the accessory building with the additional uses of lubrication, storage, car wash, office and sales and sale of used cars, minor motor vehicle repairs, and a temporary variance to permit the parking of more than five motor vehicles.

PREMISES AFFECTED—688 Gunhill Road, south side of 1365-1375 White Plains Avenue. Block bounded by Gunhill Road, White Plains Avenue, and Olinville Avenues, Block 4628, Lot 35 Borough of The Bronx.

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—(decision of the borough superintendent) under section 7h of the zoning resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed

of mapped street—Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 ft. south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—(decision of the Borough Superintendent) under section 7e of the zoning resolution, to permit in a residence use district, a hair-dressing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, southeast corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio, owner; Salvatore DiLorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, sales room and office motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore DiLorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a business use district, in an open yard presently used for the storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

PREMISES AFFECTED—195-199 Allen Street, west side, 175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as

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Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five motor for patrons cars in conjunction with a proposed department store. Ashford Street, in block 4335.

PREMISES AFFECTED—732-764 Ashford Street and 820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application May 13, 1957—(decision of the Borough Superintendent) under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a lot partly

in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.

PREMISES AFFECTED—2846 Webster Avenue, east side 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.

SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.

PREMISES AFFECTED—3960-3962 Bronxwood Avenue, east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

151-58-BZ

APPLICANT—Ervin Palmer, for Herald Contracting Co., owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing building from power house to warehouse, storage and contractor's office.

PREMISES AFFECTED—33 Attorney Street, west side, 125 feet north of Grand Street, Block 346, Lot 58, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

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JULY 15, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon*, July 15, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

240-52-SM

APPLICANT—Harold N. Ipsen, for Ipsen Industries, Inc., owner. Gerald B. Duff & Company, Agent.

SUBJECT—Application April 4, 1952—Ipsen Automatic Heat Treating Unit, Gas or Electric, Model T, approval of.

365-52-SM

APPLICANT—United States Plywood Corp., owner James A. Fitzpatrick, Agent.

SUBJECT—Application May 16, 1952—United States Plywood Corp., Weldwood Metal Veneer Panel (exterior metal veneer panel), approval of.

921-53-SA

APPLICANT—National Heater Company, owner. E. M. Tarnoff, agent.

SUBJECT—Application December 23, 1953—National Champion Gas Fuel Warm Air Heating Units, Models TD-20, 25, 30, 40, 50, 75, 100, 125, 175 and 200 (suspended type), approval of.

922-53-SA

APPLICANT—National Heater Company owner. E. M. Tarnoff, agent.

SUBJECT—Application December 23, 1953—National Champion Gas-Fired Warm Air Heaters, Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type) approval of.

923-53-SA

APPLICANT—National Heater Company, owner. E. M. Tarnoff, agent.

SUBJECT — Application December 23, 1953 — National Champion Oil-Fired Warm Air Furnaces, Models TD-20, 25, 30, 40, 50, 80, 100, 125, 150, 175 and 200 (suspended type), approval of.

926-53-SA

APPLICANT—National Heater Company, Owner. E. M. Tarnoff, agent.

SUBJECT — Application December 23, 1953 — National Champion Oil Fired Warm Air Furnace, Model TD-20, 30, 40, 50, 70, 80, 100, 125, 150, 175, and 200 (floor type), approval of.

351-55-SM

APPLICANT—American Air Filter Company, owner.

SUBJECT—Application May 2, 1955—American Air Filter Co., Grease Filter Types AC, HV, and Range Hood, (all metal unit for condensing greasy vapors), approval of.

353-55-SM

APPLICANT—B. Bartholomaeus & Associates, owner.

SUBJECT—Application May 2, 1955—Airsan Grease Filters and Filter Assembly, Types G, AG, GC and GW, approval of.

770-55-SA

APPLICANT—B. S. Tool Co. for Mid-Continent Metal Products Co., owner.

SUBJECT—Application September 13, 1955—Mideo Direct Fired Air Heaters, Models 22, 30 and 36, approval of.

885-56-SM

APPLICANT — Dualheat, Inc., owner. A. A. Arvintz, Agent.

SUBJECT—Application December 19, 1956—DualHeat Paint Heater Model 125, approval of.

41-57-SA

APPLICANT—Orr & Sembower, Inc., manufacturer. V. N. DeCerchio, Agent.

SUBJECT — Application October 25, 1956 — Power-Pak Packaged Steam or Hot Water Generator, Gas-fired, Model 2, approval of.

42-57-SA

APPLICANT—Orr & Sembower, Inc., manufacturer. V. N. DeCerchio, Agent.

SUBJECT — Application October 25, 1956 — Power-Pak Package Steam or Hot Water Generator (oil fired), Model 2, approval of.

261-57-SA

APPLICANT—Dunkirk Radiator Corporation, owner.

SUBJECT—Application March 21, 1957—Blue Circle Gas-fired Boiler, Models DW4, DW6 and DW8, approval of.

273-57-SA

APPLICANT—McGraw-Edison Company, Clark Division, owner. Ralph M. Cohen, Agent.

SUBJECT—Application March 25, 1957—Toastmaster and Tropic-Aire Gas-fired Water Heaters, approval of.

301-57-SA

APPLICANT—McGraw-Edison Company, Clark Division, owner. Ralph M. Cohen, Agent.

SUBJECT—Application March 27, 1957—Toastmaster and Tropic-Aire Automatic Electric Water Heaters, approval of.

412-57-SM

APPLICANT—The National Screw & Manufacturing Company, owner.

SUBJECT—Application May 14, 1957—National Screw & Manufacturing Company High Strength Structural Bolts, approval of.

421-57-SM

APPLICANT—R. J. Crinnion for Parkchester Glass Company, owner.

SUBJECT—Application March 25, 1957—Parkline Window ¾-Hour test, approval of.

483-57-SA

APPLICANT—Eureka Williams Corporation, owner.

SUBJECT—Application June 5, 1957—Eureka Williams Oil-O-Matic Furnaces, Models LHO-84 and LHO-84B, approval of.

488-57-SA

APPLICANT—Eureka Williams Corporation, owner.

SUBJECT—Application June 19, 1957—Williams Oil-O-Matic Low Pressure Oil Burner, Models K-4.5 and K-7, approval of.

504-57-SA

APPLICANT—Eureka Williams Corporation, owner.

SUBJECT—Application June 6, 1957—Eureka Williams Gas-O-Matic Furnace, Models LHG-105, LHG-105B, approval of.

623-57-SM

APPLICANT—Fimble Sales Company, for Straits Products, Inc., owner.

SUBJECT—Application June 17, 1957—Straits Accordion Doors, approval of.

681-57-SM

APPLICANT—Tectum Corporation, owner. Harold Per-rine, Agent.

SUBJECT—Application August 14, 1957—Tectum Slabs Non-bearing Partition, approval of.

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682-57-SM

APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.

SUBJECT—Application August 14, 1957—Tectum Slab 2 inch or more in thickness, incombustible non-bearing subdividing partition, approval of.

683-57-SM

APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.

SUBJECT—Application August 14, 1957—Tectum Slab 2½ inch Minimum Thickness, composite panel, spandrel and apron wall, approval of.

859-57-SA

APPLICANT—American LaFrance Corporation, owner.

SUBJECT—Application November 21, 1957—American LaFrance Dry Chemical Fire Extinguishers, approval of.

893-57-SA

APPLICANT—All-Boro Gas Company, Inc., from Grimm Manufacturing Co., owner.

SUBJECT—Application November 1, 1957—Redi-Heater Gas-fired, Model M70, approval of.

1021-57-SA

APPLICANT—Precision Heat Treating Company, for Ipsen Industries, Inc., owner.

SUBJECT—Application December 23, 1957—Endothermic Generator, Models: G250-E, G500-E and G, G600-E and G and G750-E and G, G1250-E and G, G1500-E and G, G2500-E and G and G3000-E and G, approval of.

197-58-SA

APPLICANT—Clayton Manufacturing Company, owner. Orco Oil Burner, Agent.

SUBJECT—Application March 5, 1958—Clayton Steam Generator, Models WHO-50, 52-212, 75 and 100 (oil-fired), approval of.

75-58-SA

APPLICANT—Martin Stamping & Stove Company, owner. Irving Entin & Associates, Agent.

SUBJECT—Application February 11, 1958—Martin Unvented Gas-fired Room Heaters, Models C-418, C-430, C-440, 552, 528, 535, 422, 428, 435, 1205, 1206, 1116, 1120 and Martin Vented Gas-Fired Heaters, Models V835, V859, V870, V935, V945, V965, V985, V715 and V720, approval of.

739-50-SM—Vol. II

APPLICANT—Harold Perrine, for Johns-Manville Sales Corp., owner.

SUBJECT—Application reopened May 21, 1957 for Johns-Manville Fibertone, Fire Retardant Finish—re Johns-Manville Fibertone Flame Retardant Finish Acoustical Treatment; previously dismissed.

121-35-SA

APPLICANT—Iron Fireman Manufacturing Company, new owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models OFS-85, OBN-100 and OBN-175 and change of company name—re Timken Silent Automatic Water Heater, Model 40-A and 50-B; previously approved.

175-49-SM

APPLICANT—United States Plywood Corporation, owner.

SUBJECT—Application reopened March 19, 1957 for amendment of resolution as to incombustible rating of partition—re U. S. Plywood Partition Panel, 1¾ inch thick with Kaylo Core and 1 inch thick with Kaylor Core; previously approved.

148-50-SM

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to change of edge of board and marking—re Gold Bond Insulation Roof Boards; previously approved.

373-50-SA—Vol. II

APPLICANT—Airco Equipment Mfg., Division, Air Reduction Company., owner.

SUBJECT—Application reopened June 2, 1953 for amendment of resolution as to additional models of torches—re Air Reduction Co., Inc. Welding and heating torches with cutting attachment, Models 700 Series and 800 Series; previously approved.

500-50-SA

APPLICANT—Bryant Heater Division of Affiliated Gas Eq., Inc., owner.

SUBJECT—Application reopened July 2, 1957 for amendment of resolution as to additional models of gas fired equipment, Model 328—re Crane Gas-fired Unit Heaters, Models 75-329, 95-329, 125-329, 160-329, 225-329, CR75-327, CR50-327, CR100-327, CR125-327, CR200-327 and CR225-327; previously approved.

556-50-SM

APPLICANT—United States Gypsum Company, owner-manufacturer.

SUBJECT—Application reopened November 29, 1955 for new and additional construction methods and materials—re USG trussteel Studs; previously approved.

518-51-SA

APPLICANT—The Thermodyne Corp., for Carrier Corporation, owner.

SUBJECT—Application reopened February 28, 1956 for amendment to consider additional models 50-N and 41-D—re Carrier weathermaker, Models 50K4, 50K6, 50K8, 50K12 and 50K16; previously approved.

143-54-SM

APPLICANT—United States Plywood Corporation, owner.

SUBJECT—Application reopened September 24, 1957 for amendment of resolution as to bolt throw—re Weldwood ¾-Hour Door and 1-Hour Fire Resistive Opening Protective Assembly; previously approved.

733-54-SA

APPLICANT—Pantex Manufacturing Corporation, owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional sizes of dry cleaning equipment—re Pantex Perk-O-Matic Dry Cleaning Machine, Model EC (using non-flammable solvent); previously approved.

734-54-SM

APPLICANT—Seelye, Stevenson, Valve and Knecht, for Granco Steel Products Company, owner.

SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional gauges of Corruform and Tufcor—re Corruform and Tufcor Steel Deck fire resistive roof for industrial construction; previously approved.

700-57-SA

APPLICANT—General Fittings Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade names Way-Wolff Associates, Ray Burner Sales—re General Fittings Electric Oil Immersion Heater, Models WTSB-1, WTSB-2, WTSB3, to be marketed as Preferred Electric Oil Immersion Heater, Models SS-1, SS-2 and SS-3; previously approved.

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261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.

SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re signs, in vicinity of United Nations Headquarters.

PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

296-57-A

APPLICANT—George J. Steigerwald, owner.

SUBJECT—Application April 15, 1957—Appeal from an order of the fire commissioner, re use of premises as storage garage.

PREMISES AFFECTED—21-23 Coenties Slip, west side, 30 ft. south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.

PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

914-52-A—Vol. II

APPLICANT—Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.

SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re enclosed stairways.

PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of The Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner.

SUBJECT—Application reopened December 17, 1957 as Vol. II—appeal from a decision of the Borough Superintendent—re: change in egress.

PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

475-55-A—Vol. II

APPLICANT—Harry A. Yarish, for Mar-Rin Realty Corp., owner.

SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re Class III construction increase in height—increase in number of beds, Nursing Home.

PREMISES AFFECTED—953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JULY 22, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, July 22, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the

Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.

SUBJECT—Application November 21, 1956—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner, Block 4079, Lots 35, 36 and 37, Borough of The Bronx.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) South of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

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53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 5 construction less than 4 feet from Lot line.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.

PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.

PREMISES AFFECTED—1412 Bay Ridge Avenue south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.

SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic laundry and parking of cars awaiting service.

PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green, for Merry Twins, Inc., owner.

SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an

extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

938-57-BZ

APPLICANT—Leonard F. Rothkrug, for Bel-Harb Corporation, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, an increase in the number of apartments in an existing five story multiple dwelling from 38 to 43, the additional apartments are to be part of the basement reconstruction.

PREMISES AFFECTED—123-11 Rockaway Beach, Boulevard, southeast corner of Beach 124th Street, Block 763, Lot 1, Belle Harbor, Borough of Queens.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.

SUBJECT—Application reopened February 11, 1958, as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the open garage for more than five (5) motor vehicles into the adjoining lot.

PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner. Block 5750, Lot 42, Borough of Brooklyn.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit

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in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for the manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 201.98 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

PREMISES AFFECTED—57 Park Avenue, eastside 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

963-57-BZ—VOL. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirrillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution to permit in a residence use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

87-58-A

APPLICANT—Donald J. Colasono, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue Block 5379, Lots 4, 6 and 7,, Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 22, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, July 22, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co. Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re curb cuts located in the bed of a mapped street-proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

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REGULAR MEETING

TUESDAY MORNING, JUNE 24, 1958, 10, A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, June 10, 1958, were approved as printed in the Bulletin of June 17, 1958, Vol. 43, No. 24.

172-16-BZ—Vol. II

APPLICANT—Herman Kron, for Banner Oil Company, Inc., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent under sections 7c and 7h of the Zoning Resolution, to permit in a business and residence use district, the reconstruction of an existing gasoline service station, minor auto repairs with hand tools only, auto laundry, garage for more than five (5) cars and parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing garage.

PREMISES AFFECTED—31-37 Church Avenue, north side, 100 feet east of Chester Avenue, Block 5313, Lots 34 and 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Mrs. B. Beitler, Sol Nathan, Leila Olshira, Charles J. Marchiano, Charles Butler, May Macc, Anita Dekrony and Manual Corrar.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for inspection and decision; hearing closed.

335-35-BZ—Vol. IV

APPLICANT—Burke, Green and Groh, for Anrob Realty Co., Inc., owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete, expired April 30, 1958—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a residence use district, the extension of the existing use of a storage warehouse (stores, plumbing fixtures, etc), 5 car garage and loading platform.

PREMISES AFFECTED—167-01 to 167-11 108th Road, Road, northeast corner of 167th Street, Block 10176, Lot 12, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur J. McGee.

For Opposition: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for applicant to file a new decision of the Borough Superintendent.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northeast corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Raphael Weisman, Sam Rubin and M. A. Weidig.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for inspection; applicant to submit information as to

adjoining gas stations and for decision; hearing previously closed; attorney for objector to be notified when date for determination is set.

264-56-BZ

APPLICANT—Henry Nordheim, for Joseph Torres, owner. SUBJECT—Application reopened June 3, 1958 for consideration as to extension of time to complete, expired January 23, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a term of years.

PREMISES AFFECTED—1178 Pugsley Avenue and 2000 Gleason Avenue, southeast corner, Block 3802, Lots 6 and 9, Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for further consideration and decision; hearing previously closed.

348-56-BZ

APPLICANT—Burke, Green and Groh, for Mary Ryback, owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete (expired April 30, 1958)—decision of the Borough Superintendent, previously granted on condition under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, office, sales room, car wash—non automatic, minor repairs and parking for more than five (5) motor cars waiting for service.

PREMISES AFFECTED—175-15 Rockaway Boulevard, southeast corner of 149th Avenue, Block 13381, Lot 30, Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Arthur J. McGee.

For Opposition: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for applicant to file new decision of the Borough Superintendent.

123-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Grenlac Holding Corp., owner.

SUBJECT—Application February 14, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, sales rooms, car wash, storage, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1101-1111 Grenada Place and 4126-4134 Laconia Avenue, northeast corner, Block 4927, Lot 2, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: None.

ACTION OF BOARD—Laid over, date to be set for further consideration and decision; hearing previously closed.

298-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of the present building from furniture showroom to supermarket.

PREMISES AFFECTED—307-311 East 115th Street,

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north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Cohen.

For Opposition: C. J. Cammarata, N. Y. C. Housing.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A.M. for inspection and decision with 299-58-A; hearing closed.

299-58-A

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application April 14, 1958—Appeal from a decision of the Borough Superintendent, re stairs, live load, etc.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Cohen.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A.M. for inspection and decision with 298-57-BZ; hearing closed.

545-57-BZ

APPLICANT—Leonard F. Rothkrug, for Maria Gitto, doing business as Joseph Gitto and Sons, owners.

SUBJECT—Application July 19, 1957—decision of the Borough Superintendent under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, C area district, the change in occupancy and extension of a one family dwelling and four car garage to wholesale grocery storage occupying more than the permitted area.

PREMISES AFFECTED—155 Hopkinson Avenue, east side, 25 feet north of Hull Street and 101 Hull Street, north side, 70 feet east of Hopkinson Avenue, Block 1533, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Maria Gitto.

For Opposition: D. Brake.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision with 546-57-A; hearing closed; applicant to correct photograph.

546-57-A

APPLICANT—Leonard F. Rothkrug, for Maria Gitto, doing business as Joseph Gitto and Sons, owners.

SUBJECT—Application July 19, 1957—Appeal from a decision of the Borough Superintendent, re Class 4 structure-commercial use.

PREMISES AFFECTED—155 Hopkinson Avenue, east side, 25 feet north of Hull Street and 101 Hull Street, north side, 70 feet east of Hopkinson Avenue, Block 1533, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Maria Gitto.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision in conjunction with Cal. No. 545-57-BZ; hearing closed.

803-57-BZ

APPLICANT—Hyman Muss, for Willets Point Taxpayer Inc., owner.

SUBJECT—Application November 7, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection of a two-story building to be occupied on the first floor with stores and a motion picture theatre and the use of the second floor for offices and projection room.

PREMISES AFFECTED—19-05 to 19-11 Francis Lewis Boulevard, southeast corner of 160th Street, Block 4758, Lot 100, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Hyman Muss.

For Opposition: Louis Riger, Louis E. Yavner, Jerome Reiss, Ninea Cagralosi, Albert C. Paris, Celia Duetman, Naomi Specht, Flora Spung, J. Vossalo, Elizabeth Mullen, Rose Faruzzo, Pauline Doonan, Salvatore Cagralosi, Norma Berman and others.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision; hearing closed.

909-57-BZ

APPLICANT—Aaron Halpern, for Wiljay Contracting Co., Inc., owner.

SUBJECT—Application December 12, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, a one-story extension to an existing non-storage, 4 car garage to be used for the storage of contracting equipment which is now legally stored in an open yard, the proposed extension to occupy more than the permitted area coverage.

PREMISES AFFECTED—152-15 14th Road, north side, 101-94 feet east of 152nd Street, and 152-10 13th Avenue, Block 4541, Lot 22, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern, James B. Bell and Robert Johnson, Jr.

For Opposition: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for inspection and decision; hearing closed.

915-57-BZ

APPLICANT—Charles A. Buckley, Jr., for Stanton Management Inc., owner.

SUBJECT—Application December 16, 1957—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, office, lubritorium, minor repairs, sale of auto accessories, auto laundry and the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3625 Eastchester Road, 1495-1499 Oakley Avenue, northwest corner and 1144-1148 East 222nd Street, Block 4716, Lot 28, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice J. Schulkind.

For Opposition: None.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A. M. for further inspection and decision; hearing closed.

949-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Pelham Bridge Realities Inc., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, minor repairs with hand tools only, office, sale of accessories with show windows and business entrances within 75 feet of the residence use district.

PREMISES AFFECTED—2100-2110 Williamsbridge Road and 1141-1151 Lydig Avenue, northeast corner, Block 4310 Lots 30 and 33, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Victor Block.

For Opposition: None.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A. M. for inspection and decision; hearing closed.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of

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the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Haus.

For Opposition: John Wharton and Robert D. Scott.

ACTION OF BOARD—Laid over to September 17, 1958, at 10 A. M. at request of the applicant for revised plans.

992-57-BZ

APPLICANT—Victor G. Madonia, for Jacob Feldman, owner.

SUBJECT—Application December 30, 1957—decisions of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubricatorium, car wash, minor auto repairing, office, sales, storage room and parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—109-50 Merrick Boulevard, southwest corner of 109th Road, Block 10189, Lot 8, South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Victor G. Madonia.

For Opposition: Marie Brewer, Mary E. Garrett, Milton J. Edwards, Kermit E. Dioroery, William C. Wall Jr., Carrie E. Nixon, Beatrice L. Gibson, Ernest T. Mattison, Esther Jarvis, and Annie Smith.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for inspection and decision; hearing closed.

18-58-BZ

APPLICANT—Patrick D. Concagh, for Marie A. Peduto, owner; International Mill Work Corp., lessee.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the change in use in the premises from factory to saw and planing mill.

PREMISES AFFECTED—3308 Edson Avenue, northeast corner of Givan Avenue, Block 4881, Lots 75 and 77, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick D. Concagh and J. J. Spich.

For Opposition: Eugene T. McNulty, Alexander S. Brody and Andrea Kassl.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A. M. for inspection and decision; hearing closed.

39-58-BZ

APPLICANT—Julian Roth of Emery Roth and Sons for Bankers Trust Co., and Metropolitan Life Insurance Co., owners.

SUBJECT—Application January 14, 1958—decision of the Borough Superintendent, under section 19A and 21 of the Zoning Resolution, to permit the separation of Lot 67 from the Certificate of Occupancy of Lot 1 and extend the 12 story building on Lot 69 to 19 stories and erect thereto a 19 story extension of Lot 67, eliminating the required loading and unloading berth.

PREMISES AFFECTED—2-4 East 44th Street and 523-529 5th Avenue, southeast corner, Block 1278, Lots 67 and 69, Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth, Herman M. Glassner, Erwin S. Wolfson and Irwin Clavan.

For Opposition: Samuel Bodian for City Construction Coordinator.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for further consideration and decision; hearing previously closed.

59-58-BZ

APPLICANT—J. G. L. Molloy for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing twelve (12) story and penthouse building, from multiple dwelling to offices.

PREMISES AFFECTED—140 East 40th Street, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

For Opposition: None.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A. M. for inspection and decision; hearing closed.

60-58-A

APPLICANT—J. G. L. Molloy, for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—Appeal from a decision of the Borough Superintendent, re live load.

PREMISES AFFECTED—140 East 40th St, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A.M. for inspection and decision; hearing closed.

61-58-BZ

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the erection of a one family dwelling that encroaches on the required setbacks in the front and side yards.

PREMISES AFFECTED—49-04 Hanford Street, west side, 365.83 feet north of 51st Avenue, Block 8167, Lot 92, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

For Opposition: Taylor Moore, Bernard A. Helfat, Vera G. Moore, Frank Waldron, Carl H. Brehl and Paul D. Nulle.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision with 62-58-A; hearing closed.

62-58-A

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—filed pursuant to section 35, General City Law re proposed stairs and walks in bed of a mapped street and a decision of the Borough Superintendent re ceiling height and garage level.

PREMISES AFFECTED—49-04 Hanford Street, west side, 365.83 feet north of 51st Avenue, Block 8167, Lot 92, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision, in conjunction with Cal. No. 61-58-BZ; hearing closed.

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63-58-BZ

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.
SUBJECT—Application February 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the erection of a one family dwelling that encroaches on the required setbacks in the front and side yards.

PREMISES AFFECTED—48-18 Hanford Street, west side, 440.79 feet north of 51st Avenue, Block 8167, Lot 85, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

For Opposition: Taylor Moore and Bernard A. Helfat.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision with 64-58-A; hearing closed.

64-58-A

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.
SUBJECT—Application February 19, 1958—filed pursuant to section 35, General City Law re Stairs and Walk in bed of mapped street and a decision of the Borough Superintendent re height of ceiling and garage level.

PREMISES AFFECTED—48-18 Hanford Street, west side, 440.79 feet north of 51st Avenue, Block 8167, Lot 85, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A. M. for inspection and decision in conjunction with Cal. No. 63-58-BZ; hearing closed.

66-58-BZ

APPLICANT—John J. Tricarico, for Empire Fuel Co., owner.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the change in use of an existing one-story building from office, garage for five (5) trucks and storage of riggers equipment to office and storage of fuel delivery trucks.

PREMISES AFFECTED—1638 8th Avenue, west side, 100 feet south of Windsor Place, Block 1112, Lot 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Bromberg.

For Opposition: Samuel Quarternian.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A. M. for inspection and decision; hearing closed.

85-58-BZ

APPLICANT—Goldwater and Flynn, for Peerless Operating Corp., and 32 East 1st Street Realty Corp., owners.

SUBJECT—Application February 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, after demolition of the two existing buildings, the erection and maintenance of a gasoline service station, lubritorium, car washing, office, storage and parking of more than five (5) motor vehicles and minor auto repairs.

PREMISES AFFECTED—20-24 2nd Avenue and 30-32 East 1st Street northeast corner, Block 443, Lots 1 and 62, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Louis R. Colman, and Goldwater and Flynn.

For Opposition: Abraham Hoffman, Sigmund Goldneri, Harold Glotzer and Walter Bergner.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A. M. for inspection and decision; hearing closed.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the

Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher, Arthur J. McConnell and John J. Fox, Jr.

For Opposition: Emanuel Greenberg, Anthony F. Brown, Julia Soracoe, Irene D. Garry, Josephine Delay and Alan F. Doniger.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A.M. for inspection and decision with 142-58-A; hearing closed.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008, Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A.M. for inspection and decision in conjunction with Cal. No. 141-58-BZ; hearing closed.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of office, lubritorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses was permitted.

148-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the reconstruction of a present gasoline service station and continue the uses of office, storage and sale of auto accessories, car wash—non automatic, minor auto repairs with hand tools only, lubritorium and the parking of more than five (5) motor vehicles waiting to be serviced.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: John Griffith and Gladys Nurchie.

ACTION OF BOARD—Laid over for inspection date for decision to be set; hearing closed.

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172-58-BZ

APPLICANT—Gabriel Nathan, for Arverne Associates, Inc., owner.

SUBJECT—Application March 31, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles to be used in conjunction with that part of the parking lot located in the business use district.

PREMISES AFFECTED—212-220 Beach 70th Street, east side, 100 feet north of Rockaway Beach Boulevard, Block 534, Lot 68, Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Gabriel Nathan and Irving N. Klein.

For Opposition: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision; hearing closed.

173-58-BZ

APPLICANT—Gabriel Nathan, for Helen Nemeth, owner.

SUBJECT—Application March 31, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of an open parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—46-15 to 46-27 (46-21) Rockaway Beach Boulevard, and 202-216 Beach 47th Street, southeast corner, Block 328, Lots 39 and 139, Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Gabriel Nathan, Helen Nemeth, Harry Nemeth and Angie Lynch.

For Opposition: Norman Bernstein.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision with 174-58-A; hearing closed.

174-58-A

APPLICANT—Gabriel Nathan, for Helen Nemeth, owner.

SUBJECT—Application March 31, 1958—filed pursuant to section 35, General City Law re premises partly in bed of mapped street-proposed widening of Rockaway Beach Boulevard.

PREMISES AFFECTED—46-15 to 46-27 (46-21) Rockaway Beach Boulevard, and 202-216 Beach 47th Street, southeast corner, Block 328, Lots 39 and 139, Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Gabriel Nathan.

ACTION OF BOARD—Laid over to July 1, 1958, at 10 A.M. for inspection and decision with 173-58-BZ; hearing closed.

420-57-BZ

APPLICANT—Reginald S. Hardy, for The Trustees and Associates of The Brooklyn Benevolent Society, owner.

SUBJECT—Application June 4, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection of a retail food market and the use of the unbuilt upon portions for the parking of motor vehicles belonging to patrons, customers and employees of such market.

PREMISES AFFECTED—256-262 Clinton Street and 172-196 Congress Street, southwest corner, Block 301, Lots 61, 63, 66 and 71, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: Louis Cohen.

ACTION OF BOARD—Application withdrawn at request of the applicant, to further investigate possibility of conforming use or a use less objectionable to adjoining property owners.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

120-33-BZ—Vol. IV

APPLICANT—Irving H. Passel, for Robert A. Stella, owner; Pursuant under contract: Esso Standard Oil Co., lessee.

SUBJECT—Application reopened April 9, 1958 as Vol. IV decision of the Borough Superintendent under sections 7f and 7h of the Zoning Resolution, to permit in a retail use district, the extension in area of an existing gasoline service station, motor vehicle repair shop for adjustments and garage for more than five (5) motor vehicles previously granted by the Board under Cal. No. 120-33-BZ Vols. II and III and to include the additional uses of lubritorium, non-automatic auto laundry and parking of motor vehicles on the unbuilt portion of the plot, for a term of fifteen (15) years.

PREMISES AFFECTED—2100 Hylan Boulevard, southeast corner of Hamden Avenue, Block 3688, Lot 5, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. IV on April 29, 1958 subject to regular procedure, to consider extension of area and other changes; and

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for consideration and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Hylan Boulevard are in a retail use, D area, class 1 height district; Hamden Avenue and Bedford Avenue are in retail and residence use, D and E area, class 1 height districts; Boundary Avenue is in a residence use, E area, class 1 height district; that on July 25, 1916 and prior to the construction of Hylan Boulevard, which absorbed Southside Boulevard, the entire area was zoned undetermined and business use, and restricted against industry; that on January 15, 1927 the undetermined and business use area was rezoned to business use to a depth of 100 feet along Hylan Boulevard, with the remaining portion of the block zoned for residence use; that on October 20, 1955 the use zone along this section of Hylan Boulevard was changed from business use, 100 feet, to retail use to a depth of 150 feet; that the class 1 height district has been unchanged since 1916, and the D area or the instant plot has remained the same; and

WHEREAS, the decision of the Borough Superintendent, dated April 4, 1958 acting on Alt. Applic. No. 113-58, reads:

"1. The extension in Area of existing gasoline service station, motor vehicle repair shop and garage for more than five motor vehicles permitted by the B.S.A. under Cal. No. 120-33-BZ, Vol. 1, 2, 3, and the additional uses of lubritorium, auto laundry (non-automatic) and parking of motor vehicles on the unbuilt portion is contrary to Art. II Sect. 4A of the Zoning Resolution and contravenes Cal. No. 120-33-BZ, Vol. 1, 2 & 3 of the B.S.A."

and

WHEREAS, the applicant states that the premises consist of a plot having a frontage of 121.45 feet on Hylan Boulevard and a depth of 100 feet on Hamden Avenue; that the south-

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erly lot line is 99.39 feet long and the easterly lot line has an irregular length of 101.25 feet and 20 feet; and

WHEREAS, the applicant states that the retail use district extends to a depth of 150 feet parallel with Hylan Boulevard; that there are no proposed entrances, show windows, store fronts, etc., within 75 feet of the residence use district and accordingly Section 7A does not apply, and further, the plot and use does not contravene Section 21A of the Zoning Law; that the present owner acquired the portion of the plot on which the present gas station exists on October 5, 1948; that this plot is known as lot 7 in block 3688 and has a frontage of 81 feet on Hylan Boulevard; that the proposed extension of area includes lot No. 5 in block 3688 and has a frontage of 41.41 feet on Hylan Boulevard; that on March 18, 1958 the Tax Department merged the two lots and assigned tentative lot No. 5 for the entire parcel; and

WHEREAS, the applicant further states that existing conditions show that Vol. I of this application was dismissed for lack of prosecution on December 27, 1933; that Vol. II was granted March 1, 1938 under Section 7, subdivision f, for a term of two years permitting the front portion of the premises to be used as a gas station and auto repairing of a minor nature, with motor driven machines not exceeding 1/2 H.P. for each machine; that this variance included former lot No. 9 and covered the plot at the southeast corner of Hylan Boulevard and Hamden Avenue with a frontage of about 40 feet on said Hylan Boulevard; that this variance was subsequently renewed for two year periods through 1948; that on January 25, 1949 a resolution was adopted on Vol. III permitting for a term of ten years, expiring January 25, 1959, an extension in area of the plot and the accessory building so as to include an additional 41 feet along Hylan Boulevard; that this made the station about 81 feet along Hylan Boulevard, and also included former lots 7 and 9; that present conditions show that the curb cuts are not strictly in accordance with the Resolution of January 25, 1949; that however, the building and uses are substantially in accordance with this Resolution; and

WHEREAS, the applicant states that under proposed work, the area of the plot will be extended an additional 40 feet along Hylan Boulevard so that the premises will have a frontage of about 121 feet; that there will be no change in the present building and the gasoline tanks and gasoline pumps will remain unchanged; that however, in addition to the present uses of gasoline service station, motor vehicle repairs for adjustments and garage for more than five cars, request is made for lubrication, non automatic car washing and parking of motor vehicles on the unbuilt portion of the plot, all for a term of fifteen years; that all former curb cuts will be removed and three 30 foot cuts will be constructed on Hylan Boulevard and one 30 foot and one 15 foot cut will be constructed on Hamden Avenue; that no curb cut will be nearer than 5 feet to any lot line as prolonged; that it is also proposed to erect a woven wire fence on a one foot high masonry base to a total height of 5 feet 6 inches on the extended area, and pave this area with blacktop; that the brand sign will be relocated as shown; and

WHEREAS, the applicant states that Certificate of Occupancy No. 10188 was issued June 25, 1953, for motor vehicle repair shop, garage for more than five cars and gasoline service station on subject premises; that this Certificate expires January 25, 1959; and

WHEREAS, the applicant contends that the present Amoco and Gulf gasoline stations located on Hylan Boulevard in block 3688, lot 8 and block 3589, lot 1 respectively, were established prior to effective zoning; that most of the property in the swamp land in blocks 3688, 3689, 3687 has been taken by the City in In Rem proceedings; that Esso Standard Oil Company has entered into a conditional purchase contract for this property, and subject to the granting of the variance, will supervise the operation of this outlet; that numerous new or rebuilt gas stations have been established along this portion of Hylan Boulevard and competitive demands require that the instant plot be extended and revamped to meet new conditions; and

WHEREAS, the applicant states that the present owner has held title to Lot 7 since October 5, 1948 and to Lot 5 since January 23, 1958; that the assessed valuation of land is \$3,500 and of the building \$9,500 making a total of \$13,000; that the building was erected in 1938; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted under conditions to be imposed; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions f, c and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the prior resolution is hereby *amended* to permit the extension of the existing gasoline service station previously permitted by the Board, substantially as proposed and indicated on plans filed with this application, marked "Received April 9, 1958", 4 sheets, and "May 13, 1958", 1 sheet, as amended by revised plans marked "Received June 23, 1958", 1 sheet, *on condition* that the requirements shown on plan marked "Received June 23, 1958" shall be complied with as to the rear of the premises and the planting and shrubbery shown thereon and concrete curbing extending along the plot herein permitted for the extension of the gasoline service station; that the planting along the westerly line shall be maintained with suitable planting material, protected with concrete curbing not less than 6 inches in width by 8 inches in height; that a woven wire fence of the chain link type shall be constructed on a masonry base, where shown on the lot lines to the east and south, to a total height of 5 feet, 6 inches; that the extension of use to the west may be for the parking of motor vehicles; that the existing billboard extending across the lot line of these premises shall be entirely removed; that in all other respects the curb cuts and the proposed buildings with changes to the building as proposed shall be complied with; that the existing pumps as now located may be continued but if changed shall be not less than 15 feet to the street building line of Hylan Boulevard; that the existing curb cuts to Hamden Avenue may be continued as shown; that the curb cuts to Hylan Boulevard shall consist of three, not over 30 feet in width each, located where shown, with no portion nearer than five feet to a side lot line as prolonged; that sidewalks and curbing abutting the site on both street fronts shall be constructed or repaired to the satisfaction of the Borough President; that within the north and westerly lot lines there may be erected a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend not more than 4 feet behind the building line; that the term of this variance may be extended so as to be for fifteen years from the date of this amended resolution; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

1115-40-BZ—Vol. I

APPLICANT—Jacob Lewis Gold, for Cohan Realty Corp., owner.

SUBJECT—Application reopened June 3, 1958 for consideration as to extension of term of variance, expired January 31, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a business use district extending into the residence use district, for a term of years, the parking of more than five (5) motor vehicles. PREMISES AFFECTED—2101-2109 Surf Avenue, northwest corner of West 21st Street, Block 7058, Lots 27-50 inclusive, Borough of Brooklyn.

APPEARANCES—

For Applicant: J. L. Gold.

For Opposition: None.

ACTION OF BOARD—Term of variance extended.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, on April 15, 1941, as hereafter amended by Resolution adopted through January 31, 1956, this application was granted by the Board on certain conditions under Section 7h of the Zoning Resolution, to permit in a business use district, extending into the residence use district, for a term of years, the parking and storage of more than five motor vehicles, affecting premises 2101-2129 Surf Avenue, northwest corner of West 21st Street, Block 7058, Lots 27-50, Borough of Brooklyn; and

WHEREAS, the applicant requested reopening of this application and extension of the term of variance, which had expired by time limitation on January 1, 1958; and

WHEREAS, this application was reopened on June 3, 1958 and set for hearing on June 24, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated May 13, 1958 acting on D. C. Applic. No. 1705-40, reads:

"1. The time limit of the variance granted by the Board of Standards and Appeals under Cal. #1115-40-BZ as amended Jan. 31 '56 has expired. Therefore the proposed parking lot for more than five cars in a business use district and extending into a residence use district is contrary to the Zoning Res. Art. II Sect. 3."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on March 17, 1947 as thereafter amended by resolutions adopted through July 10, 1956, only insofar as it has reference to the term of the variance so that as amended this portion of the resolution will read:

"granted under Section 7h for a term of five years from the date of this amended resolution to permit.....; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits including a Certificate of Occupancy shall be obtained within six months." (DC 1705-41.)

585-52-BZ—Vol. IV

APPLICANT—Robert J. Crinnion, for Eisner and Lubin, owners.

SUBJECT—Application reopened October 29, 1957 as Vol. IV—re decision of the Borough Superintendent under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the maintenance of a public parking lot for the parking of more than five (5) motor vehicles for a stated term of five years.

PREMISES AFFECTED—809-817 1st Avenue, west side, 40.5 feet north of East 45th Street and 339-341 East 45th Street, Block 1338, Lots 21, 25, 26, 27, 28 and 124, Borough of Manhattan.

APPEARANCES—

For Applicant: Robert J. Crinnion.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. IV on October 29, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; and laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and First Avenue are in a restricted retail use, B area, class 1½ height district; East 45th Street and East 46th Street are in restricted retail, manufacturing & retail use, B area, class 1½ height districts; Second Avenue is in a retail use, B area, class 1½ height districts; that as of July 25, 1916 the property was zoned as an unrestricted district and the present use designation became effective on May 5, 1947; that as of July 25, 1916 the portion of the property within 100 feet of First Avenue was zoned as a two times height district and the remainder was zoned as a one and one-half times height district; that on May 5, 1947 the one and one-half height designation was expanded to include the entire property; that the area designation has not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated October 14, 1957 acting on amendment to Alt. Applic. No. 645-57, reads:

"1. A public parking lot for more than 5 motor vehicles located in a restricted retail use district is contrary to Art. II, Sec. 4-B of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 80 feet, 141 feet and 100 feet in depth, irregular; and

WHEREAS, the applicant states that the site for the proposed parking lot consists of six separate lots, two of which are vacant land; that the four remaining lots, each of which faces on First Avenue, contain two four-story and two five-story, class 3 buildings, occupied over the years by stores on the first floor and old law tenements above; that for the past several years, due to the age and condition of the buildings, tenants have been vacating at intervals and no new acceptable tenants can be found, and at present all floors of the several buildings are vacant, with the exception of two of the stores; that with the assessed valuation of the property at \$286,000, the owners are unable to derive sufficient income from the property to pay taxes thereon, and it is therefore their desire to demolish the ancient and virtually useless buildings, whose total assessed valuation is only \$9,000, and maintain a public parking lot on the property; and

WHEREAS, the applicant contends that the proposed parking lot would serve to improve the appearance of the neighborhood by eliminating four rundown buildings which are sandwiched between two new modern structures; that in addition, the proposed parking lot would help to fill a dire public need by providing necessary off-street parking space, the lack of which becomes a more acute problem in the Borough of Manhattan each month as the number of vehicles in use increases, while the parking lots to accommodate them are replaced by multi-story office buildings, which further increase the demand for parking; that this is particularly true in the east forties, the area which has undergone the most energetic rebuilding program the City has ever seen; that the new and proposed buildings in this area, including the United Nations buildings, must have adequate parking facilities; and

WHEREAS, the applicant states that the present owners have held title to the property since July 25, 1949 and June 29, 1950; that the assessed valuation of land is \$277,000 and of the buildings \$9,000 making a total of \$286,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use dis-

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strict regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h, to permit the parking and storage use for a term of five years, substantially as proposed and indicated on plans filed with this application, marked "Received October 14, 1957", 1 sheet, and "April 29, 1958", 2 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the site leveled substantially to the grade of the abutting streets, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that on all lot lines there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet 6 inches, with one entrance thereto on First Avenue, not exceeding 20 feet in width, with curb cut opposite of similar width and one entrance on East 45th Street with curb cut opposite 20 feet in width, that such fence may be omitted where walls of adjoining buildings occur on the lot lines; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to a sign at each entrance, attached to the fence, not exceeding five square feet in area each, not illuminated or extending beyond the building line; that the sidewalk and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

688-54-BZ

APPLICANT—Herman Kron, for L. B. Oil Co., Inc., owner.

SUBJECT—Application August 17, 1954—decision of the Borough Superintendent under sections 7c and 7i of the Zoning Resolution, to permit in a business use district, at an existing gasoline service station, the extension of the present use to include parking and storage for more than five (5) motor vehicles and auto repairs.

PREMISES AFFECTED—2203-2209 Amsterdam Avenue, southeast corner of West 170th Street, Block 2112, Lot 26, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Thomas P. Dooney.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; applicant to file revised drawing showing entrances to High Bridge Park from Amsterdam Avenue and Edgecombe Avenue within vicinity of proposed gasoline station; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Amsterdam Avenue are in a business use, B area, class 1½ height district; West 170th Street and West 168th Street are in business and unrestricted use, B area, class 1½ height districts; Jumel Place is in an unrestricted use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 26, 1958 acting on amendment to Alt. Applic. No. 1819-53, reads:

"3. Extension of a gasoline service and oil selling station to include parking & storage for more than 5 motor vehicles and auto repairs to a non-conforming use (gasoline service and oil selling station) is not per-

mitted in a business use district—Art. II Sections 4(a) (15) (29), Art. 5 Sect. 21A of the Zoning Resolution.

Note: Case Cal. #688-54-BZ now pending before the Board of Standards & Appeals.

Reconsideration of this objection was denied on 8-4-55. It will not be further considered."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth, on which is located a gasoline service station; that it is proposed to extend the present use to include parking and storage for more than five motor vehicles, and auto repairs; and

WHEREAS, the applicant states that the use was established prior to 1925 and Certificate of Occupancy issued by the Department of Buildings permits the use of gas station only; that there is ample room for the parking and storage of automobiles; that the occupant has obtained a license from the Department of License for the use of part of the premises as a parking lot, but the Building Department referred the case to the Board for review; and

WHEREAS, the applicant states that the present owner has held title to the property since January 1936; that the assessed valuation of land is \$45,000 and of the building \$48,000 making a total of \$93,000; that the building was erected in 1932; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions c and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7c and 7i, to permit the extension of use, consisting of parking and motor vehicle repairing, as indicated on plans filed with this application, marked "Received March 27, 1958", 3 sheets, "April 25, 1958", 1 sheet, and "June 13, 1958", 1 sheet, *on condition* that motor vehicle repairs shall be of the minor adjustment type with hand tools only, that such parking shall be permitted only where it will not interfere with the servicing of the station; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

609-56-BZ

APPLICANT—Ingram S. Carner, for Charles Cintron, owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete, expired March 19, 1958—decision of the Borough Superintendent, previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a residence use district, the erection of a new service building and extending the present use of the gasoline service station, office, laundry and auto repairs, including car washing—non-automatic, minor repairs with hand tools only, sales and storage of auto accessories and parts and parking of motor vehicles waiting to be serviced.

PREMISES AFFECTED—143-02 to 143-06 Springfield Boulevard and 186-16 to 186-24 143rd Avenue, southwest corner, Block 13082, Lot 26, Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Ingram S. Carner.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

MINUTES

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation March 19, 1957; and

WHEREAS, this application was reopened on May 27, 1958 and set for hearing on June 24, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated May 28, 1958 acting on N.B. Applic. No. 2990-56, reads:

"1. The use of the premises as a gasoline service station, lubritorium, car wash (non-automatic), minor repairs with hand tools only, office, sale and storage of automotive parts and parking of motor vehicles waiting to be serviced in a residence use district is contrary to Art. 2 Sec. 3 of the Zoning Resolution."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 19, 1957 only insofar as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution will read:

"that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution". NB 2990-56.

745-56-BZ

APPLICANT—Louis Santangelo, for Michael Bunda, owner.

SUBJECT—Application November 1, 1956—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the change in occupancy of the existing two-story and basement, two-family dwelling to a three family dwelling.

PREMISES AFFECTED—3210 Middletown Road, south side, 73.46 feet east of Dwight Place, Block 5411, Lot 327, Borough of The Bronx.

APPEARANCES—

For Applicant: H. E. Horwood.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection; applicant to submit revised plans to show building to be in conformity with the Multiple Dwelling Law; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Middletown Road, Robertson Place, Dwight Place and Ampere Avenue are in a residence use. E-1 area, class $\frac{1}{2}$ height district; that on July 25, 1916 the area was not classified as to use, area was E and height $1\frac{1}{4}$; that on July 1, 1924 the use was business and residence, C and E area and $1\frac{1}{4}$ height; that on July 28, 1927 maps show business and residence use, C area and $1\frac{1}{4}$ height; that the above designations were in effect until June 10, 1955 when the use district was changed to residence, E-1 area and 1 height; and

WHEREAS, the decision of the Borough Superintendent, dated October 24, 1956 acting on amendment to Alt. Applic. No. 941-56, reads:

"A-1. Conversion of existing 2 story and basement brick 2 family private dwelling to a 3 family converted

dwelling located in an E-1 area district is contrary to Sec. 15A of Art. IV of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, presently developed with a two story and basement dwelling; and

WHEREAS, the applicant states that the original plans for this building filed in 1947, were for a three family house and were so approved, but owing to financial conditions the owner could not afford to complete the building for the three families, and since he required a Certificate of Occupancy for mortgage purposes, he amended the application to a two family building and received Certificate of Occupancy No. 6966; that at all times the owner had the intention of completing the basement for the use of his son when he would be released from the Army; that this occurred in 1953 and the basement story was completed by the owner who was ignorant of the fact that he would have to file for a new Certificate of Occupancy, which he would have been entitled to at that time and up to the zone change of June 10, 1955, previously referred to; that since 1953 the building has been carried on the Tax Department books as a three family dwelling, and has been taxed as such since then; and

WHEREAS, the applicant contends that even under present zoning, two 2-family houses could be erected on this lot, which would allow four families, while this application is only for three families on same, the only difference being that the three families are in one building instead of two, and this would be far less objectionable than two 2-family dwellings; and

WHEREAS, the applicant states that the present owner has held title to the property since November 1, 1923; that the assessed valuation of land is \$2,000 and of the building \$17,500 making a total of \$19,500; that the building was erected in November, 1949; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and in view of the revised plan of the basement, the Committee found that the application should be granted, to permit the change of occupancy from a two-family dwelling to a Class I Converted Multiple Dwelling; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, to permit the occupancy of the building as a Class A multiple dwelling, substantially as proposed and as indicated on plans filed with this application, marked "Received November 1, 1956" 4 sheets, "May 2, 1958", 1 sheet, and "June 20, 1958", 1 sheet, *on condition* that the building in all other respects shall comply with the requirements of the Multiple Dwelling Law and the Building Code for the occupancy as herein permitted; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

151-57-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Robert Pollen and Jerome Gerber, owners.

SUBJECT—Application reopened February 4, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an automobile showroom and gasoline service station with accessory uses of auto washing (non-automatic), lubrication, office and sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and auto safety inspection station for a temporary term of fifteen (15) years.

MINUTES

PREMISES AFFECTED—2914-2932 Nostrand Avenue, west side, 300 feet north of Avenue P, Block 7690, Lots 82, 86 and 88, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: David C. Candiotti.

ACTION OF THE BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on February 4, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 17, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request of the applicant; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Avenue P and Kings Highway are in business and residence use, D and E-1 area, class 1/2 height districts; Nostrand Avenue is in a business use, D area, class 1/2 height district; East 29th Street is in a residence use, E-1 area, class 1/2 height district; that the use designation has not been changed since July 25, 1916 and no amendment is pending as of the present time; that as of July 25, 1916 the property was zoned as a D area district; that on August 25, 1955 the portion west of a line midway between Nostrand Avenue and East 29th Street was changed from a D district to an E-1 district; that as of July 25, 1916 the property was zoned as a one time height district and on August 25, 1955 the designation was changed to class 1-1/3 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 13, 1958 acting on N.B. Applic. No. 1-58, reads:

"1. Proposed building and premises, partly in a Business and partly in a Residence zone, to be used for automobile showroom, with gasoline service station, auto washing (non-automatic), lubrication, office and sale of auto accessories, minor repairs with hand tools only and parking and storage of motor vehicles and auto safety inspection station, is contrary to Art. II, PP. 3 and PP. 4a, subsections 29 and 46 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 160 feet frontage by 110 feet in depth; that it is proposed to develop the site—solely within the business portion thereof—with a modern automobile showroom—a conforming use—and with minor auto repairing, new car makeup and a gasoline service station in conjunction with the other uses just mentioned; that the plot is 110 feet in depth, of which 105 feet is in a business use district and the remaining 5 feet is in a residence district; that the proposed building will not exceed 100 feet in depth, thereby allowing a ten foot yard between the rear yards of the premises in the rear, which 10 foot yard will be landscaped and planted; that the planting where the building does not occur will be protected by a 6 inch by 8 inch concrete curb; that the planting will continue throughout the rear lot line and also along the north lot line from the rear of the lot to the Nostrand Avenue building line; and

WHEREAS, the applicant states that this proposal differs from the former proposal which was denied by the Board; that the former proposal indicated the plot as 140 feet in width whereas this proposal indicates 160 foot plot; that the erection of the proposed auto showroom on the south lot line will protect the adjoining dwelling by acting as a buffer between it and the proposed uses; that adjoining the site to the north is a motor vehicle repair shop granted by the Board under Cal. No. 410-47-BZ, and immediately to

the north of this repair shop is a lumber yard; that across the street in block 7691, lot 19 is an automatic auto laundry with its large attendant parking area, and there is a Carvel stand, also with its space for parking, in block 7701, lot 27; that at the time of filing of the original case on February 27, 1957, there were a series of five empty stores immediately north of the lumber yard, block 7690, lots 65 to 72 inclusive; that at this writing these stores are still vacant, which amply indicates to the Board that the erection of store property would not be feasible, and furthermore would be impossible due to the impossibility of obtaining financing; that the erection of a conforming use in the shape of a factory would surely be more obnoxious than the present proposal; that the factory could of course be a multi-story and together with its permissible and required loading and unloading and parking area would not be as desirable as the proposed auto showroom with its attendant gasoline service; and

WHEREAS, the applicant contends that a goodly portion of the neighborhood is presently given over to automotive uses, the repair shop with its parking area immediately to the north, the automatic auto laundry on the east side of Nostrand Avenue and the non-conforming lumber yard use; that there is also a factory and storage building directly across the street in block 7691, lot 11; that there is a need for a gas station in this area; that the nearest gas station on the west side of Nostrand Avenue is approximately 1-1/4 miles distant near Flatbush Avenue, and the Long Island Railroad underpass at Avenue H; that the parcel was purchased from The City on a tax lien; that the owners at one time endeavored to develop the site with dwelling occupancy but were unable to obtain financing; that it was most natural that no finance company or bank would loan on this site due to the numerous non-conforming uses and also due to the vacant stores within the area it would be unable to obtain financing for store occupancy; and

WHEREAS, the applicant states that the present owners have held title to the property since August 22, 1956 and that the assessed valuation of land is \$14,400, and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e, f and i of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. No. 1-58, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

416-57-BZ

APPLICANT—Albert Melniker, for Jo Mar Di Realty Corp., owner.

SUBJECT—Application May 28, 1957—decision of the Borough Superintendent under Sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing (non-automatic), minor auto repairs with hand tools, sale of accessories and parking for more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1581 Hylan Boulevard and 300 Atlantic Avenue, southwest corner, Block 3333, Lot 19, Dongan Hills, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

MINUTES

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 19, 1957 after due notice by publication in the Bulletin; laid over, date to be set; for inspection and decision; hearing closed; now set for June 17, 1958; then to June 24, 1958 at the request of the applicant to file new decision of the Borough Superintendent and revised plans; and

WHEREAS, the district maps accompanying the zoning resolution show that the site is in a retail use, D and E are, class 1 height district; that the property has a depth of 150 feet of retail zoning, and the property is 125 feet in depth, leaving 25 feet of retail zoning between the westerly line of this property and the residential areas on Atlantic Avenue; and

WHEREAS, the decision of the Borough Superintendent, dated May 23, 1957 acting on N.B. Applic. 98-57, reads:

"1. Erection of bldg. for occupancy as gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools is contrary to Art. II Sect. 4(a) subdiv. 15, 29, 46, 52 & Art. II Sect. 4-A zone resolution since premises are in a Retail D & E District and therefore is denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 125 feet in depth; that it is proposed to erect a gasoline service station substantially as indicated on the plans; that the proposed building will be a one story, two bay masonry service station of an attractive design; that it will be well set back from both Hyland Boulevard and Atlantic Avenue in order that there will be no interference with the clear and unobstructed view of intersecting traffic; that architecturally the building will enhance the general appearance of the area, inasmuch as this will represent the latest in modern service station design; that the site in question will be paved to provide a complete finish over the entire property; that the property on the interior lines will be fenced by means of a chain link fence and signs will be as indicated on drawings, placed in such manner as to not obstruct required visibility; that curb cuts will be located to provide for easy ingress and egress with a maximum protection for the adjacent buildings on Atlantic Avenue; that the owners of this property have a long established reputation as responsible and reliable business men; that this station will be owned by the present owners and will be operated by a major oil company; that inasmuch as the proposed financing will require an amortization period of not less than fifteen years, request is made that if granted, the term of years be fifteen years; and

WHEREAS, the applicant contends that Hyland Boulevard is the major north-south highway on Staten Island; that it provides the most direct link between St. George and Tottenville and connects with all the major island streets; that it is also the arterial connection between all traffic coming from South Ferry and 69th Street Ferry and is used by thousands of cars crossing the island to reach New Jersey and points south and west; and

WHEREAS, the applicant states that the present owner has held title to the property since August 21, 1956 and that the assessed valuation of land is \$3,000, and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and the Committee recommended that the application should be granted with conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7f for a term of fifteen years, to permit the premises to be occupied as a gasoline service station substantially as proposed and indicated on revised plans marked, "Received June 20,

1958", 5 sheets, and in accordance with revised decision of the Borough Superintendent under the new building objection dated June 19, 1958, supplementing the previous decision as cited on condition that the accessory building shall be of the design, arrangement and location shown, without cellar, and faced with face brick on all sides; and in all other respects comply with the requirements of the Building Code; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line; that curb cuts shall be restricted to 2 curb cuts to Hyland Boulevard each not over 30 feet in width, and one to Atlantic Avenue of similar width; that the line of the plot along Atlantic Avenue shall follow the line as proposed to be widened; that on the interior lot line there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches; that such fence shall run to the street line of Atlantic Avenue for a distance of approximately 50 feet and along the side lot line to the south to the accessory building and from the accessory building to the street building line of Hyland Boulevard at the street lines there shall be suitable terminating posts; that the gasoline pumps shall be of an approved type erected not nearer than fifteen feet to the street line; that the number of gasoline storage tanks shall not exceed twelve 500 gallon approved gasoline storage tanks; that the premises shall be paved with concrete or bituminous paving; that the sidewalks and curbing shall be constructed and repaired in accordance with the requirements of the Borough President; that such portable fire-fighting appliances shall be as the Fire Commissioner shall direct; that under Section 7i for a similar term there may be minor repairs for adjustments maintained solely within the accessory building; that there may be under Section 7h, for a similar term, parking of motor vehicles of the passenger car type on such portion of the premises as will not interfere with the servicing of the station; that signs shall be restricted to permanent signs facing Hyland Boulevard and attached to the facade of the accessory building the illuminated globes of the pumps excluding all roof and temporary signs and advertising devices, but permitting the erection of a post standard for supporting a sign, at the intersection, which sign may be illuminated, advertising only the brand of gasoline on sale and which may extend beyond the building line for a distance of not more than 4 feet; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

629-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Anton Kladde, owner.

SUBJECT—Application August 23, 1957—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, with the accessory uses of car wash, lubritorium, sale of accessories, office parking and storage of more than five motor vehicles and auto repairs with hand tools.

PREMISES AFFECTED—1805 Washington Avenue, southeast corner of East 175th Street, Block 2907, Lot 33, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Victor Block.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bul-

MINUTES

letin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Washington Avenue are in a business use, B area, class 1½ height district; East 175th Street and Cross Bronx Expressway are in business and unrestricted use, B area, class 1½ height districts; Park Avenue is in an unrestricted use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated August 12, 1957 acting on N. B. Applic. No. 897-57, reads:

"1. Proposed gasoline service station, car wash, lubritorium, sale of accessories, office, parking & storage of more than 5 motor vehicles, auto repairs with hand tools is contrary to Art. II Sec. 4 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 90.72 feet frontage by 78.81 feet in depth, upon which is located a small gasoline service station, lubritorium, office and sales; that it is proposed to demolish the entire structures on the site and erect a new service station of a more modern nature; and

WHEREAS, the applicant states that the frontage on Washington Avenue is 67.93 feet due to the Cross Bronx Expressway taking a corner of the property as shown on plot plan; that there is also an old frame dwelling on the south portion of the plot; and

WHEREAS, the applicant contends that the Cross Bronx Expressway will be elevated at the portion passing the subject site and only a street level service roadway will front the property on the south; that the greater part of business for the station is mostly local and dependence on business from the highway is nil as same is overhead where it passes the subject property; that the rehabilitation of this station will be an improvement over old conditions; and

WHEREAS, the applicant states that the present owner has held title to the property since June 10, 1949; that the assessed valuation of land is \$19,500 and of the building \$8,500 making a total of \$28,000; that the building was erected in 1924; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f to permit for a term of fifteen years the existing gasoline service station to be reconstructed and arranged as indicated as proposed on plans filed with this application marked "Received August 23, 1957", 6 sheets and "March 27, 1958", 2 sheets, *on condition* that all existing uses now on the premises not proposed to be retained shall be removed and the premises shall be reconstructed and arranged as indicated on such plans above cited; that the accessory building shall be of the design and arrangement as shown, without cellar; that the toilet rooms shall be rearranged so as not to have the doors contiguous; that the building shall be faced on all sides with face brick; that the number of gasoline tanks shall not exceed twelve 550 gallon approved tanks; that the pumps shall be of a low approved type erected not nearer than 15 feet to the street building line; that where not occupied by the accessory building and pumps the premises shall be paved with concrete or asphaltic pavement; that on the rear lot line where walls of the proposed accessory building do not occur there shall be erected a woven wire fence of the chain link type on a masonry base not less than five feet six inches in height; that curb cuts shall be re-

stricted to two curb cuts to Washington Avenue each 20 feet in width and two curb cuts to East 175th Street, where shown, 24 feet in width and one to Cross Bronx Expressway 24 feet in width, with no portion of any curb cut nearer than five feet to a side lot line as prolonged; that at the two intersections there shall be erected a block of concrete extending for a distance of not less than five feet along either building line and not less than twelve inches in height; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection of a post standard at the intersection of Washington Avenue and East 175th Street for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend over the street building line for a distance of not more than four feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i for a similar term there may be minor repairs with hand tools only for adjustments, maintained solely within the accessory building; that under Section 7e for a similar term there may be parking of motor vehicles on such portions of the premises as will not interfere with the servicing of the station; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

715-57-BZ

APPLICANT—Albert Melniker, for Harry and Edward Risch, owners.

SUBJECT—Application October 3, 1957—decision of the Borough Superintendent, under section 7A, 7c, 7f and 7i of the Zoning Resolution, to permit in a retail and residence use district, the rehabilitation of an existing gasoline service station and motor vehicle repair shop and the extension of the uses to include sale of accessories, office and parking and storage of more than five (5) motor vehicles to the adjacent lot with business entrances and exits within 75 feet of the residence use district.

PREMISES AFFECTED—4244-4248 Hylan Boulevard, 94-102 Groton Street, southeast corner and 93-101 Littlefield Avenue, Block 5317, Lot 5, Eltingville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on March 18, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date to be set; hearing closed; now set for June 24, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Littlefield Avenue and Croton Street are in retail and residence use, D and E area, class 1 height districts; Hylan Boulevard is in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated September 23, 1957 acting on Alt. Applic. No. 243-57, reads:

"1. The proposed alteration of the existing gas station to include a gasoline service station, motor vehicle repair shop, sale of accessories and parking for more than five motor vehicles, located in a retail and residence use district, is contrary to Article 2, Section 3 and Section 4 of the Zoning Resolution.

"2. The proposed business entrances and exits are contrary to Article 2, Section 7-A of the Zoning Resolution."

and

MINUTES

WHEREAS, the applicant states that the premises consist of a plot, 170.57 feet frontage by 106.66 feet in depth; that the existing gas station and motor vehicle repair shop was in use prior to June 12, 1925; that filings for this station were as follows: N.B. 1103-25; Alt. Applic. 266-30; N.B. 221-32; E.S. 1208-32; G.S. 141-38; E.S. 15-46; that the property adjacent to the gas station is a parking lot for motor vehicles as approved under Alt. Applic. 211-57; that it is proposed to rehabilitate the existing gasoline service station and motor vehicle repair shop and extend this use to the adjacent lot; and

WHEREAS, the applicant states that present office facilities are inadequate and present repair facilities are small and not conveniently located to the gas station office; that present gas pumps and pump island project beyond the property line on Hylan Boulevard; that additional curb cuts are needed, additional signs are needed and pumps and pump islands are needed; and

WHEREAS, the applicant contends that due to the fact that Hylan Boulevard is the major north-south artery along the eastern shore of Staten Island and carries a tremendous amount of automobile and truck traffic, and due to the fact that the growth of the immediate area has created a need for more and better automotive service facilities, it is essential that this station be altered and contain those motor facilities as shown on drawings submitted with this application; that this station is a State Motor Vehicle Inspection Station; that the station is a Sunoco gas service station and motor vehicle repair shop operated by a father and son; that this station, which is their livelihood, is in such physical condition as to handicap them both in working conditions and in their ability to operate property and profitably; and

WHEREAS, the applicant states that the present owners have held title to the property since July 2, 1952 and October 19, 1954; that the assessed valuation of land is \$6,300 and of the building \$2,300 making a total of \$8,600; that the building was erected June 10, 1955; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the reconstruction of the existing gasoline service station and motor vehicle repair shop as proposed and as indicated on plans filed with this application marked, "Received October 3, 1957", 4 sheets, and "March 24, 1958", 3 sheets, *on condition* that the reconstruction and rearrangement shall be in accordance with such plans; that the pumps shall be of an approved type, located not nearer than 15 feet to the street building line; that the premises, where not occupied by the accessory building, shall be paved with concrete or asphaltic pavement; that the number of gasoline storage tanks shall not exceed 12 such tanks; that on the lot line there shall be constructed and maintained a woven wire fence of the chain link type on a masonry base to a total height of 5 feet, 6 inches; that curb cuts shall be restricted to two to Hylan Boulevard not over 30 feet in width each, one of similar width to Croton Street and one of similar width to Littlefield Avenue, where shown; that until the City of New York acquires the portion of the premises for the widening of the streets, such space may be occupied for crossing to the gasoline station from such streets, but no building or equipment shall be placed thereon; that the sidewalk and curb of the abutting premises shall be constructed or repaired to the satisfaction of the Borough President; that under Section 7i of the Zoning Resolution there may be permitted minor repairing for adjustments solely within the accessory building; that under Section 7c there may also be parking and storage of motor vehicles carried on in such portions of the premises as will not interfere with the servicing of the station; that signs

shall be restricted to permanent signs attached to the facade of the accessory building facing Hylan Boulevard excluding all roof signs, all temporary signs and advertising devices, but permitting the erection within the building line at the corner of Littlefield Avenue of one post standard for supporting a sign which may be illuminated advertising only the brand of gasoline on sale and permitting such sign to extend at right angles to Hylan Boulevard for a distance of not more than 4 feet; that in all other respects the building and occupancy shall comply with all laws and rules applicable thereto and the resolution adopted this day under calendar number 190-58A; and that all permits shall be obtained and work completed under Section 22A of the Zoning Resolution.

190-58-A

APPLICANT—Albert Melniker, for Harry and Edward Risch, owners.

SUBJECT—Application March 24, 1958—filed pursuant to Section 35, General City Law re curb cuts in bed of mapped street—Littlefield Avenue and Groton Street.

PREMISES AFFECTED—4244-4288 Hylan Boulevard, 94-102 Groton Street, southeast corner and 93-101 Littlefield Avenue, Block 5317, Lot 5, Eltingville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated March 18, 1958, on Alt. Applic. 243/57 reads:

"(3) The proposed curb cuts on Groton St. and Littlefield Ave., located in bed of mapped streets, are contrary to Article 3, Section 35 of the General City Law."

and

WHEREAS, the applicant states that the premises consists of a lot 170.57 feet front by 106.66 feet in depth, located in a residence and retail use D and E area, class 1 height district, upon which there exists a 1 story building, 15 feet in height, 40 feet front by 18 feet in depth, of class 3 and 4 construction, a 1 story building, 10 feet in height, 18.33 feet front by 18.10 feet in depth, of class 4 and 5 construction, and a 1 story building, 10 feet in height, 8.10 feet front by 12.10 feet in depth, of class 5 construction, and the premises are now used and occupied as masonry garage (motor vehicle repair shop) a rest room and comfort station accessory to a gas station on the same block, a sign and three 550 gallon gasoline storage tank; that it is now proposed to demolish the existing structure and to erect thereon a 1 story 15 foot high, class 3 and 4 constructed building, 45 feet 8 inches front by 78 feet 2 inches in depth, and to occupy the premises with a gasoline service station, motor vehicle repair shop, sale of accessories, parking of more than 5 motor vehicles; and

WHEREAS, the applicant states that permission is sought to alter and rehabilitate existing gasoline service station and to use the premises as a gasoline service station, motor vehicle repair shop, sale of accessories and parking for more than 5 motor vehicles; that existing and proposed curb cuts fall in the bed of a mapped street of Littlefield Avenue and Groton Street; that request is therefore made for the approval of the Board in order to permit the installation of curb cuts, sidewalks and paving of the portion of the property within the bed of the streets as mapped for widening of Groton Street and Littlefield Avenue, all as indicated on plans filed with application for zoning variance under Calendar Number 715-57-BZ; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

MINUTES

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 243/57, Objection No. 3, be and it hereby is *modified* under the power vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted on condition*, that the requirements of the resolution adopted this day under Cal. No. 715-57-BZ shall be complied with that in the event of the taking by the city of certain portions of the premises as mapped for the widening of Groton Street and Littlefield Avenue, the compensation therefore shall be in accordance with the determination of the court; and that in all other respects the resolution above cited shall be complied with as to the use of these premises.

766-57-BZ

APPLICANT—Leonard F. Rothkrug, for Harry Heiman, Inc., owner; Socony Mobil Oil Co., owner under contract. SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a restricted retail use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop with hand tools only, lubritorium, car washing (non-automatic), office and sales and parking of vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—715 Soundview Avenue, south west corner of St. Lawrence Avenue, Block 3596, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Soundview Avenue are in a restricted retail use, D area, class $\frac{1}{2}$ height district; Commonwealth Avenue and St. Lawrence Avenue are in restricted retail and residence use, D area, class $\frac{1}{2}$ height districts; Seward Avenue is in a residence use, D area, class $\frac{1}{2}$ height district; that on July 25, 1916 the premises was in a business use, C area, class $1\frac{1}{4}$ height district; that the use district was changed from business to restricted retail on August 26, 1945; the height district was changed from class $1\frac{1}{4}$ to 1 on December 2, 1952 and from class 1 to $\frac{1}{2}$ on September 23, 1954; that the area district was changed from C to D on November 28, 1938; and

WHEREAS, the decision of the Borough Superintendent, dated September 25, 1957 acting on N. B. Applic. No. 1100-57, reads:

"1. In a restricted retail district the proposed gasoline service station, lubritorium, minor repairs, car washing, office, sales & parking of motor vehicles awaiting service is contrary to Section 4-B of Art. II and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 220.85 feet frontage by 100 feet in depth, irregular, presently vacant; that it is proposed to erect a modern gasoline service station with lubritorium, motor vehicle repair shop using hand tools only, non-automatic car wash, office and sales; and

WHEREAS, the applicant states that the owner of record is the New York Lien Corp., Harry Heiman, Inc., an interlocking corporation, is the holder of a one half interest under an unrecorded deed and is authorized by the other corporation to make this application; that the owner of these prem-

ises is also the owner of the vacant property to the rear, fronting on Commonwealth Avenue, proposed to be developed with residence uses; that the premises consist of a large, irregular, vacant tract of land approximately 22,000 square feet in area and adjoins another large irregular vacant tract of land under the same ownership, consisting of approximately 30,000 square feet; that the owner of the premises under consideration is the largest single property owner within this tax block; that these two tracts front on Commonwealth Avenue, Soundview Avenue and St. Lawrence Avenue and the owner has subdivided his property so that the entire frontage along Commonwealth Avenue of 366 feet by approximately 100 feet in depth, is not part of the premises proposed to be developed with the gasoline service station uses; and

WHEREAS, the applicant contends that there is no economic demand for development of the subject premises with a use conforming in a restricted retail use district; that the Zoning Resolution will permit the development of these premises with various types of retail store uses; that a study of the area indicates that the existing retail store facilities more than adequately provide the needs of this community; that there are some stores on Commonwealth Avenue at the intersection of Lafayette Avenue which give the appearance of barely being able to be maintained; that there has been no newly developed residences within the affected area to justify any additional retail facilities; that this area was developed principally during the 1920's and 1930's; that subsequent to the war there has been no new development within the affected area even though there are large tracts of vacant land; that all the frontage is vacant along both sides of Soundview Avenue within the affected area, a distance of 400 feet to the north and south of the site, except for the stores at Block 3595, Lot 35; that there is no economic demand for development with any residential uses; that this same owner also owns the large vacant tract adjoining the site and designated at Lot 34, Block 3596; that this adjoining vacant tract fronts on Commonwealth Avenue and was severed from the subject premises purposefully to allow for possible future residential development; that in view of this fact, this owner has more than 14 lots that can be created and developed with residences along Commonwealth Avenue; and

WHEREAS, the applicant further contends that there is an economic demand for development of the premises with a gasoline service station; that in recent years there has been considerable development southeast of this area with Government financed and public housing; the Soundview Avenue is becoming a heavily trafficked thoroughfare leading to Bruckner Boulevard; that there is no land within the affected area, nor in the general neighborhood, which is suitably zoned to provide the necessary gas station facilities; that a grant of the variance will not adversely affect any of the surrounding property owner; that the large vacant tract adjoining the site is under the same ownership and this acts as a buffer against any effect the proposed use could have on property fronting on Commonwealth Avenue; that the high cost and value of this adjoining vacant property would stop the owner from any use of the site which would adversely affect the adjoining land; that the property opposite the site on Commonwealth Avenue is vacant and unimproved and owned by The City of New York, and the property to the north and south of the site is also vacant; that it is proposed to erect a masonry wall five feet six inches in height along the south lot line of the site and along the west lot line of the site adjoining property under other ownership; that this masonry wall will prevent any adverse effect on these adjoining properties which front on streets other than those on which the sites front; that the proposed development of the premises will be the first new development along Commonwealth Avenue in this area; that it will add improved property to the City's tax rolls in an area where many of the lots are held by The City, In Rem, for non-payment of taxes; and

WHEREAS, the applicant states that the present owner has

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held title to the property since October 19, 1956 and that the assessed valuation of land is \$16,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition and that the church under construction on adjacent plot has filed no objection; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and lawful uses accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received October 25, 1957", 4 sheets, and "April 3, 1958", one sheet, *on condition* that all uses now on the premises shall be removed and the premises shall be graded substantially to the grade of the abutting streets and shall be constructed and arranged as indicated on plans above cited; that the accessory building shall be of the design and arrangement and location as shown, without cellar and otherwise complying with the requirements of the Building Code; that the toilet rooms shall be so arranged as to have the doors not contiguous; that the building shall be faced on all sides with face brick; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line, as shown; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that there shall be erected a masonry wall toward the south on the side lot line returning on the rear lot line to the accessory building and continuing as shown and a woven wire fence of the chain link type to the street building line of Soundview Avenue with suitable terminating posts; that the premises, where not occupied by the accessory building and pumps, shall be paved with asphaltic pavement or concrete; that curb cuts shall be restricted to two curb cuts to St. Lawrence Avenue, as shown, each 30 feet in width and three additional curb cuts of the same width to Soundview Avenue, where shown; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line of Soundview Avenue, where shown, for a distance of not more than four feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7e there may be parking of cars of the pleasure car type only awaiting service and on such portions of the premises as will not interfere with the servicing of the station; that under Section 7i there may be minor repairs with hand tools only maintained solely within the accessory building for adjustments; that the sidewalk and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

797-57-BZ

APPLICANT—S. T. Kieley, for The New York and Harlem Railroad Co., owner; New York Central Railroad, lessee.

SUBJECT—Application October 28, 1957—decision of the Borough Superintendent, under sections 7g and 21 of the Zoning Resolution, to permit in a restricted retail use district, use of a portion of the premises for a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—70 East 45th Street, south side, 344 feet 4 inches east of Vanderbilt Avenue, Block 1280, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: John Holden.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 45th Street, East 42nd Street and Vanderbilt Avenue are in a restricted retail use; and

WHEREAS, the decision of the Borough Superintendent, dated October 15, 1957 acting on amendment to Alt. Applic. No. 1591-56, reads:

"1. Storage or parking of more than 5 motor vehicles in a Restricted Retail Use District is not permitted. Article II Section 4B, 4(a) (15) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 394.33 feet frontage by 400 feet in depth, presently utilized for the parking of vehicles engaged in the loading and unloading of baggage, and for the use of persons doing business with The New York Central Railroad Company; that it is proposed to use a portion of the premises for a parking space for more than five vehicles, on a commercial basis; and

WHEREAS, the applicant contends that the use of this parking space would serve rather than hinder the public health, welfare and safety and provide for an orderly regulation of additional off street parking in the Grand Central area; that the advantages and necessity of off street parking in this area are self evident and it would also serve the owner as a means of deriving some slight revenue from the property; that it would work an unnecessary hardship upon the applicant to deprive it of the only profitable use to which these premises can be put and would unreasonably interfere with the conduct of business; that in view of the recent efforts of the various departments and agencies of The City of New York to relieve congestion of the streets by furnishing off street parking facilities, the proposed use of the premises in question would confer a benefit upon the community at large; and

WHEREAS, the applicant states that the present owner has held title to the property since 1835; that the assessed valuation of land is \$21,950,000 and of the building \$13,050,000 a total of \$35,000,000; that the building was erected in 1913; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision g of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7g for a term of five years to permit the storing of cars within the building near entrance to 45th Street substantially as proposed and as indicated on plans filed with this application marked "Received October 28, 1957", 4 sheets, *on condition* that the space within the building from the building line to be used for parking as proposed, shall not exceed seventy feet on either side of the passageway by twenty feet to a one car depth; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct;

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that signs shall be restricted to a permanent sign attached to the building adjacent to the parking area advertising the parking and storage use and the rates charged and such other information as may be required by the Commissioner of Licenses; and that all permits shall be obtained and all work completed within six months from the date of this resolution.

847-57-BZ

APPLICANT—Charles M. Spindler, for Charles A. Koligian, owner.

SUBJECT—Application November 21, 1957—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubrication, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only with a show window and business sign within 75 feet of a residence use district for a temporary term of fifteen (15) years.

PREMISES AFFECTED—1215-1225 Rogers Avenue and 2701-2709 Newkirk Avenue, northeast corner, Block 5214, Lot 25, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: F. I. Abeit.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 20, 1958 after due notice by publication in the Bulletin; laid over to June 17, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request of the applicant to file revised plans and consents; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Rogers Avenue are in a retail use, C area, class 1¼ height district; Newkirk Avenue is in retail and residence use, C area, class 1¼ height districts; East 28th Street is in local retail and residence use, C area, class 1¼ height districts; Avenue D is in retail and local retail use, C area, class 1¼ height districts; that as of July 25, 1916 the property was zoned as a business district and the present retail designation became effective on May 23, 1957; that the height and area designations have not been changed since July 25, 1916 and there are no pending zoning amendments relating to this property at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated February 4, 1958 acting on N.B. Applic. No. 1460-57, reads:

"1. Proposed building and premises in a retail zone, to be used for gasoline service station, lubrication, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only is contrary to Art. II, PP. 4-A of the Zoning Resolution.

"2. Proposed show window and sign within 75 feet of a Residence Zone in a transition from non-residential to residential use zone is contrary to Art. II, PP. 7A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 102 feet 6 inches frontage by 100 feet in depth, presently occupied as a parking lot, and there are also two dwellings, not in good condition, which are to be demolished; that it is proposed to develop the site with a modern gasoline service station; that the building will be located 12 feet from the east lot line; that the area between the building and the east lot line will be a seeded and shrubbed area, which area will extend along the Newkirk Avenue frontage for approximately 75 feet; that there will be erected a five foot high woven wire fence set on a six foot concrete base

to a total height of five feet six inches, along the north lot line from the service station building forward to where it meets the adjoining masonry store building on Rogers Avenue, and also along the easterly lot line to the Newkirk Avenue building line; that along the Newkirk Avenue building line it is proposed to erect a three foot six inch high iron picket fence on a two foot high brick base to a total height of five feet six inches; that the seeded and shrubbed area will be protected by a six inch by eight inch concrete curb; that pumps will be set back a minimum of fifteen feet from the Rogers Avenue building line—there will be no pumps on the Newkirk Avenue side of the plot; and

WHEREAS, the applicant contends that Rogers Avenue terminates at Flatbush Avenue and from this point, going north along Rogers Avenue, there are no gas stations, but there are automotive uses on Rogers Avenue in practically all of the blocks from Flatbush Avenue north to the site; that there is a public garage, consisting of a series of individual garages, in Block 5214, Lot 71 and another series of similar garages in Block 5213, Lot 48; that there is a motor vehicle repair shop and machine shop in Block 5213, Lot 13; that there are few retail stores in the immediate vicinity of the site; that most of the stores in the vicinity are of a service type of use including plumbing and heating supplies, roofing and tinsmith supplies, floor repairing, upholstering, printing shop, air conditioning repairing, office for paving contractor, laundry, ink manufacturing, carpenter shop, etc.; that these uses indicate that there would be no economic reason to develop the site with a store parcel; that the rentals from the service uses above enumerated are such that no prudent investor would attempt to develop the site for a store or business use; that the neighborhood is served by the large shopping area along Flatbush Avenue and Nostrand Avenue and there would be no demand for a consumer type of store on the site; and

WHEREAS, the applicant states that the present owner has held title to the property since February 1, 1952; that the assessed valuation of land is \$13,000 and of the building \$10,500 making a total of \$23,500; that the building was erected in 1906; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e, f, i and A of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. No. 1460/57, Objections No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

879-57-BZ

APPLICANT—Ludwig P. Bono, for E. John Dolan, M.D., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7d and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a two story and cellar building to be used as medical offices for a group of doctors with parking of more than five (5) motor vehicles, for doctors, patients and visitors on the unbuilt upon portion of the site.

PREMISES AFFECTED—1625 St. Peters Avenue, west side, 105.53 feet south of Maclay Avenue, Block 3994, Lots 36 and 39, Borough of The Bronx.

APPEARANCES—

For Applicant: Ludwig P. Bono.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper: 5

Negative: 0

MINUTES

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, St. Peters Avenue, Seddon Street, Maclay Avenue and St. Raymond Avenue are in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 21, 1957, acting on N.B. Applic. No. 1263-57, reads:

"1. Proposed two story group medical center in a residential use district is contrary to Article II Sec. 3 of the Zoning Resolutions. Further examination is held in abeyance until the above objection is removed."

and

WHEREAS, the applicant states that the premises consist of a plot, 100.02 feet frontage by 92.88 feet and 92.71 feet in depth; that it is proposed to erect a two story and cellar medical building for a group of doctors headed by the owner, who is the head surgeon at the adjacent hospital, and to use the side and rear yards for the parking of more than five passenger cars for the use of doctors, patients and visitors as an appurtenance to the medical building; that these doctors are all staff surgeons and formerly owners of the Westchester Square Hospital and have their offices scattered throughout The Bronx in congested areas where parking facilities and traffic activity have become unbearable for patients and doctors alike; and

WHEREAS, the applicant states that in the last few years a gravitation towards centralization of medical facilities has taken place in his area, a fact further recognized by the City, which erected a nearby health center on the corner of Glebe Avenue and Overing Street; that the Westchester Square Hospital which has now about 500 staff physicians obtained a variance from the Board on September 14, 1948 under Cal. No. 358-48-BZ, to permit a three story addition to cope with the increasing requests for accommodations; that present facilities are not adequate and it is likely that a new extension will be necessary in the near future; and

WHEREAS, the applicant contends that if the Board would grant the additional story for the contemplated structure, it would not only permit a more centralized and efficient operation of this hospital, but would benefit patients by a reduction of traveling time on the part of the Doctors; that a one story building, probably advisable in rural areas, would not be financially feasible in the City where land is expensive and office rental must be maintained reasonably low to compare with available rates; that the second story of the proposed structure will not adversely affect the adjacent three story dwelling in regard to light and ventilation on account of the driveway separation and particularly because of the stair and commercial use of the first floor of the dwelling structure; and

WHEREAS, the applicant further contends that this area contains a predominant number of old frame dwellings and a considerable amount of vacant lots; that the few brick dwellings constructed in the past have not redeemed this area enough to create any incentive for new low cost development, and some of the old frame structures have not been maintained sufficiently to overcome the impression of abandonment and stagnation; that within the affected area there are commercial occupancies such as a store on lot 35 on the north lot line of premises; grocery store—block 4000, lot 9, directly in front of premises; bar and grill—block 3979, lot 70, directly in front of hospital; moving vans and storage warehouse—block 3986, lots 1 and 5; luncheonette—block 3986, lot 9; that in the area within the 500 feet radius and immediate periphery are other commercial uses such as funeral parlor in block 3993, lot 9; store and luncheonette—block 3992, lot 9 and stores in block 3992, lot 4; that aside from the existing hospital, the only redeeming structure in the neighborhood is the recently built Library and Health Center on block 3986, lot 34, of imposing contemporary design; that the proposed medical building will enhance the

area by adding a clean functional structure of dignified simplicity not any higher than all the other buildings; and

WHEREAS, the applicant also contends that this group of doctors known as the University Group, is now inconveniently and distantly located in Fordham Road and University Avenue sections in the West Bronx; that they need the additional second story to accommodate their members and to reduce investment risks in this unequalled period of high construction cost; that a variance will be beneficial to sick and injured people and ultimately render a great public service; and

WHEREAS, the applicant states that the present owner has held title to the property since February 23, 1956; that the assessed valuation of land is \$12,000 and of the building \$225,000 making a total of \$237,000, and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions d and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7d and 7h, to permit the erection of the building for use as medical offices for a group of doctors as proposed and to permit on the open spaces the parking of vehicles of such occupants, as proposed and indicated on plans filed with this application, marked "Received Dec. 9, 1957", 4 sheets and "April 17, 1958", 1 sheet, *on condition* that the building may be two stories and cellar in height and shall comply with all requirements of the Building Code therefor; that the open area used for parking shall be leveled to the grade of the abutting streets and shall be surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that on all lot lines where masonry buildings do not occur thereon, a woven wire fence on a masonry base not less than 5 feet 6 inches in height shall be erected; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

923-57-BZ

APPLICANT—Goldwater and Flynn, for Westchester Square Associated, owner.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking for more than five motor vehicles, the use for such purpose to be restricted to doctors and attendants at the hospital and for visitors and patients of the hospital; the lot will be used solely as an appurtenance to the hospital which is across the street.

PREMISES AFFECTED—2449-2451 St. Raymond Avenue, 1601-1649 Seddon Street, northwest corner and 2446-2448 Dorsey Avenue, Block 3992, Lots 32, 37 and 40, Borough of The Bronx.

APPEARANCES—

For Applicant: Richard M. Flynn and Ludwig Bomo.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5

THE RESOLUTION— 0

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Seddon Street, Dorsey Street, St. Raymond Avenue and Zerega Avenue are in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent,

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dated December 13, 1957 acting on Alt. Applic. No. 998-57, reads:

"1. Proposed parking of more than five motor vehicles in a residence use district is contrary to Art. II Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 190.24 feet frontage by 63.8 feet and 67.02 feet in depth; that it is proposed to use the plot in question for the parking of more than five motor vehicles, the use to be restricted to doctors and attendants at the hospital and also for visitors and patients; that it is proposed to use this lot solely as an appurtenance to the hospital, which is across the street; that the lot will be properly graded and surfaced; and

WHEREAS, the applicant further states that this application relates to a plot owned by Westchester Square Associates, which owns and operates the Westchester Square Hospital; that the hospital has accommodations for 248 patients with 500 staff physicians with a substantial number of nurses and others employed by the hospital; that with parking conditions as they are today, it has become a very serious problem to find such accommodations for motor vehicles belonging to doctors, nurses and other members of the hospital staff; and

WHEREAS, the applicant contends that the creation of this parking space will substantially eliminate the necessity of parking cars in the streets in the area and thereby ease the flow of traffic and will be of great benefit to the hospital staff; and

WHEREAS, the applicant states that the present owner has held title to the property since October 1, 1956 and that the assessed valuation of land is \$9,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of 5 years to permit the premises to be occupied for the parking of motor vehicles substantially as proposed and as indicated on plans filed with this application marked "Received December 17, 1957", 2 sheets, and "April 16, 1958", one sheet, *on condition* that there shall be erected on all lot lines a woven wire fence of the chain link type on a masonry base not less than five feet six inches in total height; that all existing fences and uses shall be removed from the premises; that in such fence there may be openings fitted with gates as shown, one to St. Raymond Avenue and one to Dorsey Street, each not over ten feet in width with curb cuts opposite of similar width; that the plot shall be leveled substantially to the grade of the abutting streets and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that the use of the premises shall be only as proposed, limited to doctors and attendants of the hospital and visitors and patients and there shall be no fee charged; that the gates shall be kept closed when the lot is not in use; that signs stating such use may be constructed and maintained at the entrances, attached to the fence provided such signs do not exceed five square feet each and are not illuminated and do not extend over the building line; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within six months from the date of this resolution.

939-57-BZ

APPLICANT—Harry A. Yarish, for Charles Krebs, owner; Solomon Schneider, lessee.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the

Zoning Resolution, to permit in an E-1 area district, the continuance of an existing one-story building for use as a diner, that encroaches on the required rear yard.

PREMISES AFFECTED—248-18 Sunrise Highway, south side, 89.22 feet and 111.57 feet east of Hook Creek Boulevard, Block 13623, Lot 19, Rosedale, Borough of Queens.

APPEARANCES—

For Applicant: Harry A. Yarish.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on April 29, 1958 after due notice by publication in the Bulletin; laid over to May 27, 1958, for inspection and decision; hearing closed; then to June 17, 1958, applicant to submit revised plans, as to walls and bumpers; then to June 24, 1958, for applicant to consult with owner as to meeting requirements the Board has suggested as against what applicant has proposed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Sunrise Highway and Hook Creek Boulevard are in a local retail use, E-1 area, class 1½ height district; 249th Street is in local retail and residence use, E-1 area, class 1½ height districts; that in 1916 the premises was zoned for business use, D area and a one times height; that on January 21, 1947 the area was changed to E-1 and the height was changed to 1½ times, and on February 23, 1956 the use was changed to local retail; and

WHEREAS, the decision of the Borough Superintendent, dated November 22, 1957 acting on N.B. Applic. No. 3215-56, reads:

"1. The location of the building on the plot plan does not agree with approved plans and further in an E-1 area district the minimum distance to the street must be 15 feet and rear yard must be 15 feet and erected structure is therefore contrary to Art. IV, Sec. 15-A of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 139.20 feet frontage by 70.30 feet in depth; that on this plot there has been erected a one story metal diner with a one story brick extension, with a full cellar under the entire structure, being 56 feet wide and 33 feet and 35 feet deep; that the depth of the yard is ten feet on one side and eight feet on the other side, making it an average depth of 8.16 feet; that the depth of the yard is based on the premise that Section 19b permits a fireproof stairway and Section 17c permits a chimney to encroach on the required yard area; and

WHEREAS, the applicant states that instead of an allowable occupied area of 40% of the plot, the building only occupies 21.7% of the plot; that instead of a setback of 15 feet from the building line, the building is set back 27 feet 5 inches, and instead of a required side yard 5 feet wide, the side yard is 15 feet wide; that the rear yard is deficient as to the required depth of fifteen feet that the building was erected as hereinabove described and as shown on a survey, copy of which is submitted with this application; that the present lessee, who is completely ignorant of building laws and construction and was at work in a Brooklyn restaurant while the building was under construction; that the contractor convinced the said lessee, and with his consent, erected the building in its present position instead of as shown on plans because he thought it would look much better; that when the building was completed, a re-survey was filed in the Building Department, as an amendment; that when this amendment was denied, it was then, for the first time, that the error was discovered and came to the attention of the architect; that the lessee occupies this diner under a twenty-one year lease and has his life savings in this building, which costs \$150,000; that to deny this application would ruin him mentally as well as financially; and

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WHEREAS, the applicant contends that the occupied area is about half of the permitted occupied area; that the average depth of the yard is eight feet two inches instead of ten feet, open at both ends to the same plot, and may be reasonably accepted as being adequate; that there have been no complaints from adjoining neighbors; that an honest error has been made and overlooked by all concerned and that it may be reasonably accepted as a good condition in harmony with its general purpose and intent, so that the public health, safety and general welfare will be secured and substantial justice done; that in view of the above conditions and circumstances, it is submitted that there are practical difficulties and unnecessary hardships in the way of carrying out the strict letter of the applicable provisions of the Zoning Law; and

WHEREAS, the applicant states that the present owner has held title to the property since May 10, 1956; that the assessed valuation of land is \$30,700 and of the building \$27,000 making a total of \$57,700; that the building was erected in 1957; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application under certain conditions assigned to protect as far as possible the abutting owner at the rear; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 *on condition* that at the rear and extending for a distance of 10 feet along the side lot line there shall be erected on the retaining walls a brick masonry wall properly coped for a total height of not less than 3 feet, 6 inches above the grade of the site; that there shall be constructed at the side of the diner a garbage enclosure of masonry fitted with doors on the side and top as shown for housing two garbage cans as proposed with contents chemically treated so as to stop all odors therefrom, that the building and occupancy shall comply in all other respects with all laws, rules and regulations applicable thereto; that the work shall be done substantially as required by this resolution, amending the work as shown on plans filed with this application, marked "Received December 19, 1957", 4 sheets and "June 9, 1958", 2 sheets; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

993-57-BZ

APPLICANT—Charles A. Buckley, Jr., for Pennsylvania Exchange Bank, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sales, storage room, lubritorium, auto wash, minor auto repairs and the parking and storage of more than five (5) motor vehicles with business entrances and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—4728-4736 White Plains Road, and 701-707 St. Ouens Street, northeast corner, Block 5113, Lot 21, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice J. Schulkind.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and White Plains Road are in a business use, C area, class 1 height district; Penfield Street and St. Ouens Street are in business and residence use, C area, class 1 height districts; Barnes Avenue is in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 17, 1957 acting on N.B. Applic. No. 863-53, reads:

"1. In a business district the proposed gasoline service station, offices, sales, storage room, lubritorium, auto wash and minor auto repair and parking and storage of more than 5 motor vehicles is contrary to Sect. 4 Art. II of the Zoning Resolution.

"2. The location of the entrances and show windows within 75 feet from the residence district is contrary to Sect. 7A Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 91.70 feet frontage by 93.52 feet in depth; that it is proposed to construct a modern gasoline service station consisting of an accessory building, lubritorium, non-automatic car wash, minor repairs, storage and sale of auto accessories and accessory parking for more than five motor vehicles awaiting service; and

WHEREAS, the applicant states that White Plains Road is one of the most heavily trafficked north-south arteries in Bronx County and bears both heavy commercial and private traffic; that the elevated subway running along White Plains Road terminates approximately one block south of the proposed site and therefore this corner is a logical location for a service station as traffic is relieved of the necessity of cutting between the El pillars supporting the subway; that White Plains Road is chiefly commercial in nature and due to the present large number of vacant retail establishments in the area, it appears unlikely that the site would be utilized for any other purpose than a gas station; that the property was previously used as a used car sales lot, but the business had to be abandoned; that there is a Church located approximately one block north of the site on White Plains Road and a letter has been obtained from the Pastor stating that he felt there was no objection to the use proposed herein; and

WHEREAS, the applicant states that the present owner has held title to the property since February 20, 1957; that the assessed valuation of land is \$33,200 and of the building \$3,800 making a total of \$37,000; that the building was erected in December, 1953; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted on conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions f, i and A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit the premises to be occupied as proposed as a gasoline service station and legal uses accessory thereto, substantially as proposed and indicated on plans filed with this application, marked "Received December 30, 1957," 4 sheets, "April 30, 1958," 1 sheet, and "June 11, 1958," 3 sheets, *on condition* that all buildings and uses shall be removed and the premises constructed and arranged as indicated on such revised plans, marked "Received June 11, 1958," that the accessory building shall be of the design and arrangement indicated, including car-wash and located where shown, faced on all sides with face brick and be without

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cellar; that doors to toilet rooms shall be arranged so as not to be contiguous; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line; that the number of gasoline tanks shall not exceed twelve 550 gallon approved tanks; that the premises where not occupied by accessory building or pumps shall be paved with concrete or asphalt; that on the lot lines from the accessory building northerly and westerly to White Plains Road and from accessory building to St. Ouens Street there shall be erected a masonry wall not less than 5 feet, 6 inches in height, properly coped; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i for a similar term there may be minor repairs for a similar term for adjustments only with hand tools, maintained solely within the accessory building; that under Section 7e for a similar term there may be parking and storage of motor vehicles so arranged as not to interfere with the servicing of the station; that under Section 7A, business entrances and show windows may be permitted as indicated, provided same are as required by this resolution; that signs shall be restricted to permanent signs attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all roof signs, temporary signs and advertising devices, but permitting the erection within the intersection of White Plains Road and St. Ouens Street, of a post standard to support a sign, which may be illuminated, advertising only the brand of gasoline on sale, which sign may extend over the building line at right angles to White Plains Road not over 4 feet; that at such intersection there shall be constructed a block of concrete not less than 12 inches in height, extending for not less than 5 feet in either direction from the intersection; that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

994-57-BZ

APPLICANT—Charles A. Buckley, Jr., for Frank Infuso and Henry Infuso, owners.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the vacant lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1627-1631 Undercliff Avenue west side, 349.8 feet south of West 176th Street, Block 2880, Lot 129, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice J. Schulkind.

For Opposition: Frank E. Lammero.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 176th Street, 175th Street, Undercliff Avenue and Sedgwick Avenue are in a residence use, B area, class 1½ height district; that there have been no changes in the zoning since 1916 and no application for a change is now pending; and

WHEREAS, the decision of the Borough Superintendent, dated December 23, 1957 acting on Alt. Applic. No. 1051-57, reads:

"1. In a residence district the proposed "Parking and storage of Motor Vehicles" is contrary to Art. II, Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 125.99 feet and 123 feet in depth; and

WHEREAS, the applicant states that the plot has a frontage of approximately 75 feet on Undercliff Avenue; that present conditions in the neighborhood with respect to age of adjoining dwellings, make it unlikely that any structures will be erected herein in the near future; that the neighborhood is, however, congested for, though old frame private dwellings immediately adjoin the plot, the primary use of the surrounding area is for apartment house dwellings; that the parking is consequently very congested and the need for off street parking facilities is acute; and

WHEREAS, the applicant states that the present owners have held title to the property since January 29, 1957 and that the assessed valuation of land is \$7,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted under conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles of the pleasure-car type only, substantially as proposed and indicated on plans filed with this application, marked "Received December 30, 1957", 2 sheets, and "May 2, 1958", 1 sheet, on condition that all buildings and uses on the site shall be removed and the premises leveled substantially to the grade of Undercliff Avenue, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines, a woven wire fence of the chain link type erected on a masonry base to a total height of not less than 5 feet, 6 inches, with no openings therein except one to Undercliff Avenue, not exceeding 15 feet in width which shall be equipped with gates and with curb cut opposite of similar width; that the sidewalk and curbing on the present part of the premises shall be constructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to one sign attached to the fence at the entrance, advertising the parking and storage use, rates charged and such other information as the Commissioner of Licenses may require; that such sign shall not exceed five square feet in area, not be illuminated or extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

6-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for J. Starr Parking Service, owner.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five motor vehicles on a vacant parcel of land.

PREMISES AFFECTED—1039-1041 Boynton Avenue, west side, 300 feet south of Watson Avenue, Block 3714, Lot 48, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Jacob Starr.

For Opposition: None.

ACTION OF BOARD—Appdication granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

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THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed and to await decision by Planning Commission as to application for parking use on lot in rear of Elder Avenue, Block 3714, Lot 5; hearing on which was held June 4, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Elder Avenue and Bruckner Boulevard are in a residence use, D area, class 1 height district; Watson Avenue and Boynton Avenue are in a local retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 31, 1957 acting on Alt. Applic. No. 1169-57, reads:

"1. Parking & storage of more than five motor vehicles in a residence use district is contrary to Art. II, Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth; and

WHEREAS, the applicant states that Boynton Avenue between Bruckner Boulevard and Watson Avenue has no vacant property except the site being applied for, and the corner of Bruckner Boulevard; that most apartment houses on this street on both sides are six stories high with a few four story ones; and

WHEREAS, the applicant contends that there are many requests by residents of these apartment houses for parking space as many of these people have very good cars and do not like leaving them in the street; that the lot is too small for the erection of an apartment house to be of sound economical investment at today's prices; that approval of this use is requested for a temporary period of years with any conditions which the Board may impose; and

WHEREAS, the applicant states that the present owner has held title to the property since September 9, 1957 and that the assessed valuation of land is \$6,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted subject to conditions to be imposed; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h, for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles of the pleasure-car type only, *on condition* that all uses now on the premises shall be removed and the plot leveled substantially to the grade of Boynton Avenue, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type where walls of adjoining buildings do not occur on the lot lines, such fence shall be on a masonry base to a total height of not less than 5 feet, 6 inches, with no openings therein except one to Boynton Avenue with curb cut opposite not exceeding 12 feet in width; that the sidewalk and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that suitable bumpers not less than 2 feet 6 inches in height, shall be maintained against fences on all lot lines for protection thereof; that at the rear where the grade of adjoining premises, known as Lot #5, is below the level of this lot there shall be a retaining wall constructed on the lot line, at the expense of this owner; that in the event a retaining wall exists, such retaining wall may be used and extended in height as required, provided it is protected with a concrete bumper not less than

2 feet, 6 inches in height and located five feet away from such line; that signs shall be restricted to a permanent sign attached to the fence at the entrance, advertising the parking and storage use, the rates charged and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet, shall not be illuminated or extend beyond the building line; that this lot shall at no time be used in conjunction with Lot 5 now before the City Planning Commission under CP 425 for consideration as a parking lot facing Elder Avenue; and that all permits required and all work completed within six months from the date of this resolution.

16-58-BZ

APPLICANT—Ervin Palmer, for Thomas J. McCahill, owner; National Parking System, Inc., lessee.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension of the present parking lot from the retail portion into the residence portion of the plot.

PREMISES AFFECTED—443-447 3rd Avenue, east side, 19 feet, 9 inches south of East 31st Street and 206 East 31st Street, Block 911, Lot 64, Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East 31st Street are in retail and residence use, B area, class 1½ height districts; Second Avenue, Third Avenue and East 30th Street are in a retail use, B area, class 1½ height district; that the use was business for the entire block until August 30, 1956 at which time it was changed to retail for 100 feet from Third Avenue and residence for the balance of the plot; that there has been no change in area or height; and

WHEREAS, the decision of the Borough Superintendent, dated January 7, 1958 acting on amendment to Alt. Applic. No. 1503-57, reads:

"1. Proposed extension of parking lot to residence use district is contrary to Art. II Section 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 59 feet 9 inches frontage by 120 feet in depth, presently used as a parking lot; that it is proposed to extend the parking lot to the already paved portion of the plot beyond the 100 foot distance from Third Avenue, about 20 feet by 99 feet in size, the provision of a 14 foot wide opening in the present fence on East 31st Street and one additional curb cut 15 feet wide plus splays on the East 31st Street side; and

WHEREAS, the applicant states that this property has been held by the present owner for more than forty years, and because he is not yet ready to build, he leased the plot for an undetermined term, with a short term cancellation clause; and

WHEREAS, the applicant further states that the portion of the plot approximately 100 feet in depth was prepared as a parking lot under Alt. Applic. No. 383-57 and is so occupied since September 11, 1957 under Certificate of Occupancy No. 47955; that the balance of 25 feet front by only 20 feet

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width and 99 feet depth on East 31st Street, 100 feet beyond Third Avenue is in a residential zone and was fenced off separately and was left vacant, unused; that the lessee plans to remove the fence in order to park additional cars on this 20 foot strip of additional land, if permitted; that this application is filed for the purpose of applying to the Board to permit such additional portion of land to be occupied when cars come and apply for short term parking when there is no room for additional cars on the present plot; that the peak of business is only during the few mid-day hours and it is essential to accommodate as many cars as possible during these few hours; and

WHEREAS, the applicant contends that the immediate neighbors are old tenement houses with stores, a film studio, a telephone building and the like and it would therefore appear that no benefit can be derived for anyone to leave the twenty foot portion vacant and unused; and

WHEREAS, the applicant states that the present owner has held title to the property since 1917 and that the assessed valuation of land is \$75,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the parking use on the lot as permitted by the Borough Superintendent, for which Certificate of Occupancy No. 47955 has been issued, to be extended to include the additional plot as now proposed and as indicated on plans filed with this application marked "Received January 8, 1958," 2 sheets, *on condition* that such plot shall be levelled substantially to the grade of the abutting streets and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on the interior lot lines a woven wire fence of the chain link type not less than 5 feet 6 inches in height, with no openings therein except to the existing parking area and to East 31st Street with curb cut opposite not exceeding fifteen feet in width; that the fence now between the portion in the retail area and this additional plot may be removed so that the lots can be used together; that the sidewalk and curbing in front of the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that no additional signs shall be constructed except there may be one sign attached to the fence on the building line stating the parking and storage use and the rates charged and such other information as may be required by the Commissioner of Licenses; that such sign shall not extend beyond the building line and shall not be illuminated; that the portions of the woven wire fence on the building line on either side of the proposed entrance shall be constructed with suitable terminating posts; that all the requirements of the permit as issued by the Borough Superintendent shall be complied with including fence on the street line of Third Avenue; that such portable fire-fighting appliances shall be maintained for the entire lot as shall be required by the Fire Commissioner; and that all permits shall be obtained and all work completed within six months from the date of this resolution.

38-58-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for Metropolitan Life Insurance Co., owner.

SUBJECT—Application January 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a 1½ and 2 times height district, to maintain the present 23 story building with 14 story tower above, making a total of 37 story and penthouse building, used as an office building, separate and apart

from the building on Block 1278, Lot 67, designated as 2-4 East 44th Street not in conformity with Board of Standards and Appeals resolution Cal. No. 741-27-BZ.

PREMISES AFFECTED—519-521 5th Avenue, northeast corner of East 43rd Street, Block 1278, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth, Herman M. Glassner, Erwin Wolfson and Irwin Clavan.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over for applicant to send out new notices by regular mail for hearing on June 3, 1958; then to June 10, 1958, for further consideration; then to June 17, 1958, because of the fact that the Corporation Council asked for time to render an opinion as to the adequacy of the agreement; then to June 24, 1958, pending receipt of report from the Corporation Counsel as to the agreement; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Fifth Avenue, Madison Avenue, East 43rd Street and East 44th Street are in a restricted retail use, B area, class 1½ and class 2 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 20, 1957 acting on Alt. Applic. No. 996-57, reads:

"1. Proposed separation of 2-4 East 44th St. (Block 1278, Lot 67) from 519-521 Fifth Ave. (Block 1278, Lot 1) does not conform with B. S. & A. Resol. 741-27-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 104 feet frontage by 184 feet 4 inches in depth, occupied by a 37 story and penthouse office building; that it is proposed to obtain a new Certificate of Occupancy applicable to the building located on Lot 1 only—no structural changes involved; and

WHEREAS, the applicant states that Board of Standards and Appeals Resolution No. 741-1927-BZ provides, in part: Lot No. 67, Block 1278, with a frontage of 45 feet on 44th Street and a depth from the building line thereof of 96 feet 10 inches shall be maintained in conjunction with and as part and parcel of this plot; that at this site there is now a 37 story and penthouse office building; that above the 23rd floor level the tower area conforms with the Resolution of the Board under Cal. No. 741-27-BZ; that in order to construct this tower with an area of 5844 square feet, it was necessary to include Lot 67 of Block 1278 in the plot; that the computation for the tower area on Lot 1 is as follows:

Area of Lot 67	4,357 sq. ft.
Area of Lot 1	19,047 sq. ft.
Total	23,404 sq. ft.
Allowable tower area 25%.....	5,851 sq. ft.
Physical tower area	5,844 sq. ft.

and

WHEREAS, the applicant further states that another application has been filed with the Department of Buildings for premises 523-529 Fifth Avenue, 2-4 East 44th Street, as Alt. Applic. No. 512-57; that under the latter application it is proposed to extend the present 12 story office building located on Lot 69 of Block 1278 to 19 stories in height; that as part thereof, it proposes to extend the construction of this building to Lot 67—2-4 East 44th Street—of Block 1278, which construction will be of the same height with corresponding floors; that this horizontal extension will, in fact, contain the elevators and stairs for the altered build-

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ing; that further reference is again made to Resolution under Cal. No. 741-27-BZ: "and this portion of the plot on 44th Street front" (Lot 67 on Block 1278) "shall be limited in height to the restrictions for this street front as provided in the zone resolution"; that under such resolution the tower area commenced at elevation plus 261.90 feet above the datum for Lot 1; that the construction on Lot 67 will extend only to elevation 260.69 feet above the datum for Lot No. 1, and there will be no increase in tower area contrary to the Board's Resolution under Cal. No. 741-27-BZ: that the appeal is to obtain a Certificate of Occupancy applicable solely to the building on Lot No. 1; that to protect the public health, safety and general welfare, a covenant will be entered into by the owners of the improvements on Plots 1, 67 and 69, running with the land, which will limit further construction on Lot 67 and Lot 69 to the heights and areas mentioned herein or as may be indicated on the drawings filed with this appeal; and

WHEREAS, the applicant states that the present owner has held title to the property since June 17, 1940; that the assessed valuation of land is \$3,250,000 and of the building \$4,500,000 making a total of \$7,750,000; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the approval of the Corporation Counsel has been obtained as to the agreement entered into by the parties hereto and such approval filed in the Office of the Register, New York County; and

WHEREAS, such agreement assures for all time the legality of the tower building with lot 67 as part of the plot to comply with the requirements of resolution adopted Calendar Number 741-27-BZ; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to height on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the height district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, to permit the height of the proposed building on Block 1278, Lot 67, as indicated on plans filed with this application marked "Received March 18, 1958", 1 sheet, "April 24, 1958", 2 sheets, and "January 14, 1958", 1 sheet, *on condition* that a copy of the agreement filed herein shall be filed with the Borough Superintendent, as signed by the parties thereto, namely, Clarson Company, Metropolitan Life Insurance Company and Bankers Trust Company; that the building in all other respects shall comply with all laws, rules and regulations other than as may be modified by the Board under Calendar No. 39-58-BZ; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

41-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Antonio Caraccio and John Del Vecchio, owners.

SUBJECT—Application February 5, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles on land to be cleared.

PREMISES AFFECTED—1365 Nelson Avenue, west side, 40 feet north of West 170th Street, Block 2521, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Victor Block.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution that the site and West 170th Street are in a residence use, B area, class 1¼ height district; Plimpton Avenue and Nelson Avenue are in residence and restricted retail use, B area, class 1¼ height districts; Edward L. Grant Highway is in a restricted retail use B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 16, 1958 acting on Alt. Applic. No. 1215-57, reads:

"1. In a residence use district the proposed parking and storage of motor vehicles is contrary to Sect. 3 Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 57 feet frontage by 160 feet in depth, on which is located a very old two story frame dwelling, with two families, also a very old stable and one story frame shed enclosed on all sides; that it is proposed to demolish all existing buildings and the lot is to be leveled and be properly graded; that the site will be paved with broken stone or cinders and finished off with a suitable binder; and

WHEREAS, the applicant states that the premises are exceptionally unsightly and present a real fire hazard; that the place has been used for years for motor vehicles; and

WHEREAS, the applicant contends that the plot will be used as a parking lot for the storage and parking of cars on a monthly basis with each tenant having a key to the lot; that the lot will be enclosed with a woven wire fence and suitable bumpers will be placed where required; that it is also proposed to provide a curb cut 14 feet in length; that alternate parking has been invoked; that the neighborhood is heavily congested with automobiles from all the surrounding apartment houses and parking space is at a premium in this area; and

WHEREAS, the applicant states that the present owners have held title to the property since November 1, 1956; that the assessed valuation of land is \$10,000 and of the building \$2,000 making a total of \$12,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted with conditions imposed; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h, for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles, as proposed and indicated on plans filed with this application, marked "Received February 5, 1958," 3 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the site leveled substantially to the grade of Nelson Avenue, constructed and arranged as indicated on such plans; that retaining walls toward the rear, where necessary, shall be constructed or reconstructed at the expense of this owner and on such retaining walls on all lot lines there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than five feet, 6 inches; that in such fence there may be an entrance to Nelson Avenue, not exceeding ten feet in width, fitted with gates and with curb cut opposite of similar width; that signs shall be restricted to one sign attached to the fence at the entrance, advertising the parking and storage use, the rates charged and such information as the Commissioner of Licenses may require; that such sign shall not exceed five square feet in area, not be illuminated or extend beyond

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the building line; that the occupants of this lot shall have individual spaces assigned to them and shall be given a key for entrance, so that at all times the plot may be kept closed and gates opened only with a key; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

52-58-BZ

APPLICANT—John F. Fitzsimons, for Adolf Hoffman Iron Work, Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a local retail use, D area district, the erection of a one-story extension to an existing iron and steel works shop, the proposed extension to occupy more than the permitted area coverage.

PREMISES AFFECTED—127-02 Farmers Boulevard, and 129-24 to 129-34 Sidway Place, southeast corner, Block 12494, Lot 54, Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons and Herbert J. Clark.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Farmers Boulevard are in a local retail use, D area, class ½ height district; Merrick Boulevard is in local retail and retail use, D area, class ½ height districts; Sidway Place is in local retail and residence use, D and D-1 area, class ½ height districts; Eveleth Road is in retail and residence use, D and D-1 area, class ½ height districts; and

WHEREAS, the decision of the Borough Superintendent, dated January 29, 1958 acting on Alt. Applic. No. 41-58, reads:

"1. An additional extension to an iron & steel works building in a local retail use district is contrary to Art. II Sec. 4c of the Zoning Resolution.

2. Area of the altered building is in excess of permissible area in a D district. Sec. 14 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 104.92 feet frontage by 100 feet in depth, irregular; that it is proposed to add an extension—lavatory—of 171 square feet on the rear of the existing building and an extension—shop, crane, etc. of 4,968 square feet on lot 52, to the west of the existing building; that the coverage figures are as follows: lot 54—present, 4,290 square feet; permitted—3,676 square feet; lots 52 and 54—proposed, 9,329 square feet; permitted—6,872 square feet; and

WHEREAS, the applicant states that the existing building was erected under N.B. Applic. No. 305-46 and completed on September 20, 1946, at a time when the entire premises was in an unrestricted use; that Certificate of Occupancy No. Q-36282 permits the use of lot 54, block 12494—old lot 92 in block 12493—for iron and steel works, office and yard storage of steel and iron; that a metal roof has since been erected over the crane on the Farmers Boulevard frontage; that lot 52 was acquired from The City of New York in August 1949 after the zoning had been changed from unrestricted, but without actual knowledge of that fact; that it has since been used for the storage of iron and steel;

that lot 54 has an area of 5,320 square feet and lot 52 has an area of 5,811 square feet, for a total of 11,131 square feet; that the existing building, 3,170 square feet, covers 59½% of the original plot; that the covering over of the crane added 1,120 square feet; and

WHEREAS, the applicant contends that this request for a variance is necessitated by the natural growth of a business legally established at a time when the entire area was in an unrestricted use district; that the easterly side of Farmers Boulevard is zoned manufacturing; that within the same tax block are two gas stations and three motor vehicle repair shops; that the unnumbered lot fronting on Eveleth Road and marked "parking" is part of the bed of demapped Nutley Place; that to the west of the premises is a parking lot serving the one story brick store on lot 8, which parking lot, having a frontage of 125 feet on Sidway Place, separates the residences on Eveleth Road from the site; that on the north side of Sidway Place is a building housing "Brings Auto Parts", which fronts on Farmers Boulevard; that westerly of "Brings" is a storage yard for which a Certificate of Occupancy was issued in January 1957; that this property is owned by the Adolf Hoffman Iron Works, Inc.; that the owners are faced with the practical difficulty of taking care of their increasing business within the limits of their legal occupancy, and it cannot be done; that the general character of the neighborhood will not be adversely affected by the requested variance; and

WHEREAS, the applicant states that the present owner has held title to the property since August 1949 and March 1946; that the assessed valuation of land is \$7,300 and of the building \$23,700 making a total of \$31,000; that the building was erected in 1946; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Section 7e as to use and Section 21 as to extension of area, to permit the construction of the one-story building as proposed and as indicated, as an extension to the existing iron works on the adjoining Lot 54 substantially as proposed and as indicated on plans filed with this application marked "Received February 11, 1958", 5 sheets, and "May 5, 1958", one sheet, on condition that the building shall not be further increased in height or area than what is proposed; that in all other respects shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

71-58-BZ

APPLICANT—Charles M. Spindler, for Helena E. M. Arams, owner; Sun Oil Co., lessee.

SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station together with minor repairs with hand tools only, safety inspection station and parking within the local retail use zone of cars awaiting service.

PREMISES AFFECTED—3770-3778 East Tremont Avenue and 2889-2897 Roosevelt Avenue, northeast corner, Block 5562, Lots 21, 25 and 28, Borough of The Bronx.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: None.

ACTION OF BOARD—Application denied.

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THE VOTE—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating,
Commissioner Kleinert, Commissioner Foley and Com-
missioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Randall Avenue and Roosevelt Avenue are in local retail and residence use, D and E-1 area, class 1 height districts; Revere Avenue is in a residence use, E-1 area, class 1 height district; East Tremont Avenue is in a local retail use, D area, class 1 height district; that as of July 25, 1916 the property was zoned as a business district and 1¼ height district and C area; that the present use, height and area designations became effective on April 20, 1953; that there is no zoning amendment relating to this property pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated January 31, 1958 acting on N.B. Applic. No. 57-58, reads:

"1. On premises located in a local retail district and partly in a residence district the proposed gas service sta., lubrication, auto washing (non automatic), office, sale of accessories, minor repairs with hand tools only, safety inspection sta., parking and storage of motor vehicles is contrary to Sect. 4-c and Sect. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 110 feet frontage by 116.43 feet in depth, irregular; that it is proposed to erect a modern two bay service station; that the building will have face brick on all four facades and the peaked roof will be of colonial design; that the pumps will be set back a minimum of 18 feet from the East Tremont Avenue building line; that there will be no pumps along the Roosevelt Avenue frontage; that the residential zone consists of a small triangular piece of approximately 30 square feet at the extreme rear of the lot, and no portion of the residential zone will be used for service area; that the area in the rear of the service station building, and extending approximately 80 feet along the Roosevelt Avenue frontage will be seeded and shrubbed and will be protected with a 6 inch by 8 inch concrete curb; that a 5 foot high woven wire fence on a 6 inch concrete base, with a total height of 5 feet 6 inches, will be placed along the Roosevelt Avenue building line for a length of approximately 80 feet, also along the westerly lot line and along the northerly lot line to the wall of the adjoining masonry store building on East Tremont Avenue; that brick terminating posts will be provided; and

WHEREAS, the applicant states that the site was purchased by the present owner in 1926, who since that time has endeavored to improve the parcel with a conforming use, but has been unsuccessful; that the surrounding neighborhood consists primarily of one and two family dwellings and there is no need for additional stores; that in fact, some of the stores in the neighborhood are vacant and quite a few are of the service type such as real estate offices, radio repairing, shoe repairing, barber, etc.; that it would not be feasible to erect additional consumer type stores in the area as no financing could be obtained and there is not sufficient population in the area to support additional stores; that on the southeast corner of East Tremont Avenue and Roosevelt Avenue is a gas station which was the subject of a variance under Cal. No. 385-49-BZ, Block 5435, Lot 33; that there is also a large beer distributor at 3807 East Tremont Avenue in Block 5435, Lot 6 and a dry cleaning plant at 3801 East Tremont Avenue, Block 5435, Lot 8; and

WHEREAS, the applicant contends that there is no economic reason for the erection of a conforming use; that the owner has been burdened with this lot for the past 22 years and

as the proposed station will be under the operation and control of one of the major oil companies, it is requested that this variance be granted for a temporary term of fifteen years; and

WHEREAS, the applicant states that the present owner has held title to the property since July 2, 1926 and that the assessed valuation of land is \$5,600; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e, f and i of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, action on N.B. App. No. 57-58, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

260-58-BZ

APPLICANT—Michael L. Radoslovich, for Board of Education, Bureau of Design and Construction, City of New York, owner.

SUBJECT—Application April 24, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a C area district, the erection of a school occupying more than the permitted area.

PREMISES AFFECTED—85 Watkins Street (75-99 official), 62-90 Glenmore Avenue, southeast corner of Glenmore Avenue, and 336-346 Stone Avenue, Block 3507, Lot 7, Borough of Brooklyn, P.S. 298.

APPEARANCES—

For Applicant: John J. Saunders.

For Opposition: Atilano Morales and Angela Torres.

For Administration: C. J. Cammarata, N. Y. C. Housing.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958, after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Glenmore Avenue is in a residence use, C area and class 1 height district, Watkins Street and Stone Avenue are in a residence and local retail use, C area and class 1 height district, and Pitkin Avenue is in a local retail use, C area and class 1 height district; that in 1916 the "Use" was "Unrestricted," the "Height" was "I," and the "Area" was "C," on May 18, 1953, the "Use" was changed to "Residence"; and

WHEREAS, the decision of the Borough Superintendent, dated April 7, 1958, acting on N.B. Applic. 258-58, reads:

"1. Building located in a residence use, C area district, occupies more than the area permitted by Art. IV, Sec. 13(b) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 200 feet frontage, by 250 feet 2½ inches in depth, Public School 84 is an existing school on a plot of 50,000 square feet consisting of five, four, three and one-story buildings, constructed in 1892, with additions added in 1901, 1905, 1909, and occupies 80% of land coverage; that it is proposed to replace Public School 84 with new Public School 298, consisting of a four-story classroom Central Building, with one-story Gymnasium, Auditorium and Cafeteria Wings, which will occupy 70% of land coverage; that the new school will occupy approximately 5,000 square feet less than the existing Public School 84; that the one-story Auditorium Wing will be adjacent to the fire house and with the Kindergarten Playground adjacent to the rabbinical

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school, in place of the existing five-story buildings of Public School 84 at this southerly lot lines; that the new four-story classroom section will be 46 feet in height as against the two existing five-story buildings of 75 feet; that this will give the adjacent building more light and air, as these are the only buildings affected by this variance; and

WHEREAS, the applicant contends that Public School 298 will replace the obsolete buildings which constitute Public School 84 and the Program of Requirements set up for the school by the Board of Education requires this size of building for educational and recreational facilities for the school and community use; that to comply with area coverage as permitted in a "C" district, the Board of Education would have to condemn a six-story building which is now occupied by a rabbinical school, located on Stone Avenue and also a two-story brick fire house, located on Watkins Street, which would place an unnecessary hardship on these two institutions in order to comply with Zoning; and

WHEREAS, the applicant states that the present owner has held title to the property since 1890; that the assessed valuation of the land is \$60,000 and of the building \$2,365,000 making a total of \$2,425,000; and that the building was erected in 1892, 1901, 1905 and 1909; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the excess area as proposed and as indicated on plans filed with this application marked "Received April 24, 1958", 6 sheets, and "May 23, 1958", 3 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resoution.

Adjourned: 4:35 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 24, 1958, 2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

170-46-SM

APPLICANT—Lawrence Portland Cement Co., now known as Dragon Cement Co., owner. Division of American Marietta Company.

SUBJECT—Application February 26, 1946—Dragon Portland Cement Type II, approval of.

APPEARANCES—

For Applicant: Frank J. Petraglia.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 170-46-SM.

Subject: Dragon Portland Cement Type II.

Lawrence Portland Cement Co., now known as Dragon Cement Co., Division of American Marietta Co., filed Febru-

ary 26, 1946 an application with the Board of Standards and Appeals for approval of the material known as Dragon Portland Cement Type II.

Purpose

The material is a portland cement to be used in building construction.

Description

The material is a portland cement, made in the same manner as the cement approved by the Board under Calendar Number 719-39-SM.

Inspection and Test

Samples of the material were tested in accordance with the requirements of C26-312.0 Administrative Building Code and successfully met the requirements.

Recommendation

On the basis of the tests and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Dragon Portland Cement for use in New York City under the provision of C26-312.0 Administrative Building Code on condition that each bag in which the cement is marketed shall be marked, stamped or labeled: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 170-46-SM," and when shipped in bulk, its bill of lading shall be similarly marked.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

190-47-SM

APPLICANT—Fenestra Incorporated, owner.

SUBJECT—Application reopened May 6, 1958 for amendment for resolution as to additional section of roof deck—re Fenestra Holorib Roof Deck; previously approved.

APPEARANCES—

For Applicant: Charles J. Mantione, Sr.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 190-47-SM.

Subject: Amendment to resolution as to additional section of roof deck.

Fenestra Inc., New York, requested by letter dated April 1, 1958 that the resolution adopted December 16, 1947 and amended through July 17, 1956 under Calendar Number 190-47-SM be amended so as to include additional section of Fenestra Econorib Roof Deck. The application was reopened by a vote of the Board on May 6, 1958.

Purpose

The material is to be used as an incombustible roof deck.

Description

The deck is made of 22 gauge steel, 1 $\frac{1}{4}$ inches in depth and 24 inches wide. The section modulus is 9.113 inches³ and the moment of inertia is 0.112 inches⁴.

Inspection and Test

Tests were conducted in accordance with the requirements of C20-626.0 Administrative Building Code and the test was used as a check to determine if the design complied with

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the requirements of the American Iron & Steel Institute for the Design of Light Gauge Steel Members. The result was as follows:

22 gauge — 1½" deep — Span — center to center =
45lbs./sq.ft.

Recommendation

On the basis of the test and the data filed by the applicant the Committee on Test recommends that the resolution adopted December 16, 1947 and amended through July 17, 1956 under Calendar 190-47-SM be amended so as to include the section known as Fenestra Econorib Roof Deck—22 gauge, 1½ inch in depth for a center to center span of 5'8" and a superimposed load of 45 lbs./sq.ft. on condition that the requirements of the resolution adopted December 16, 1947 under Calendar 190-47-SM are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 16, 1947 through July 17, 1956, in accordance with the above report.

432-51-SM

APPLICANT—Ramset Fasteners, Inc., owner.
SUBJECT—Application reopened November 22, 1955 for amendment of resolution as to additional uses of Ramset Tru-Set Fasteners—re Ramset Fastening Tool, Models 122 and 238; previously approved.

APPEARANCES—

For Applicant: Dale W. Champlin.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 432-51-SM.

Subject: Amendment of resolution as to additional uses of Ramset Tru-Set Fasteners.

Ramset Fasteners Inc., requested by letter dated October 24, 1955, that the resolution adopted December 4, 1951 under Cal. No. 432-51-SM be amended so as to include additional uses of the Ramset Tru-Set Fasteners. The application was reopened by a vote of the Board November 22, 1955.

Purpose

The tool is used for driving studs into concrete.

Description

The construction of the tool is similar to the construction of the tool approved December 4, 1951 under Cal. No. 432-51-SM.

Inspection and Test

Load tests were conducted at 110 William Street, Manhattan in the presence of Commrs. E. W. Kleinert, M. Foley and H. Sleeper representing the Board, Inspectors Burns, Heeney & Zullo of the Dept. of Bldgs. and others representing the Architect, Lathing Contractor and the applicant.

A Ramset Tru-Set Fastener Type 3439—2⅞" long (⅜ x 16 x 1¼" threaded section) with (1⅝ x ½" shank) with a #372 (yellow) charge was imbedded in the concrete by means of a Ramset Tool 238M. A load of 700 lbs. was

applied to a cradle suspended from the fastener. There was no failure in the fastener.

A Ramset Tru-Set Fastener Type 2430-B, 2½" long (¼" x 20 x 1¼" long threaded section) ⅜" x 1¼" shank with a 222 (red) charge was imbedded in the concrete by means of a Ramset Tool 122MD. A load of 700 lbs. was applied to a cradle suspended from the fastener. There was no failure in the fastener.

Recommendation

The Committee on Test recommends that the resolution adopted December 4, 1951 under Cal. No. 432-51-SM be amended so as to permit the additional use of the Ramset Fastening Tool for driving the following studs: 3439, 3442, 3436, 3437, 3318, 3317 and 3320 with No. 372 (yellow) charge by means of the Model 238M Tool and the studs 2430-B, 2426-B, 2428-B, 2429-B, 2328-A, 2337-A, 2335-A, 3337 and 3335 with No. 222 (red) charge by means of the Model 122D Tool as a means of suspending hangers in 3500 psi stone concrete (studs being in tension only) for supporting ceilings and ducts under the provision of C26-461.0 on condition that the maximum load on any one stud shall not exceed 250 lbs. and further that all other requirements of the resolution adopted December 4, 1951 under Cal. No. 432-51-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 4, 1951 in accordance with the above report.

261-54-SM

APPLICANT—Dur-O-Wall Products, Inc., owner. Tomkins Bros., Agent.

SUBJECT—Application reopened May 6, 1958 for amendment of resolution as to extension of use—re Dur-O-Wall, Types S and EH; previously approved.

APPEARANCES—

For Applicant: M. W. Del Gaudio, Robert Yenny and L. W. Morrison.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 261-54-SM.

Subject: Amendment of resolution as to extension of use.

Duro-O-Wall Products, Inc., Syracuse, New York requested that the resolution adopted January 21, 1958 be amended so as to permit the use of the material on 16 inch centers. The application was reopened March 11, 1958 by a vote of the Board.

Purpose

The material is to be installed in horizontal mortar joints in masonry walls.

Description

The material is the same as that approved January 21, 1958. The requested amendment is to allow the use of this material on 16 inch centers so that it may be used with what is known as Jumbo Brick.

Recommendation

The Committee on Test recommends that the resolution adopted January 21, 1958 under Calendar Number 261-54-SM

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be amended so as to permit the use of the material Dur-O-Wall in lieu of a header course on condition that the material be galvanized and shall be placed no more than 16 inches on center in a vertical plane.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 21, 1958 in accordance with the above report.

315-55-SM

APPLICANT—Dragon Cement Company, owner.

SUBJECT—Application reopened September 10, 1957 for amendment of resolution as to additional cement—re Dragon Air Entrained Cements, Types IA and IIIA; previously approved.

APPEARANCES—

For Applicant: Frank J. Petraglia.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 315-55-SM.

Subject: Amendment to resolution as to additional cement.

Dragon Cement Co., Division of American-Marietta Co., requested by letter, dated July 22, 1957, that the resolution adopted July 12, 1957 under Calendar Number 315-55-SM be amended so as to include Air Entrained Cement Type IIA. The application was reopened by a vote of the Board on September 10, 1957.

Purpose

The material is a portland cement used in building construction.

Description

The process of manufacture is similar to the cement approved July 12, 1957 under Calendar Number 315-55-SM.

Inspection and Test

The samples of the material were tested in accordance with the requirements of the Rules of approval of Air Entraining Cement adopted under Calendar Number 64-55-SR. The material met the requirements of said Rules.

Recommendation

The Committee on Test recommends that the resolution adopted July 12, 1957 under Calendar Number 315-55-SM be amended so as to include the Type IIA Air Entraining Cement on condition that the requirements of the resolution adopted July 12, 1957 under Calendar Number 315-55-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 12, 1957 in accordance with the above report.

704-55-SA

APPLICANT—Robert L. Moog, for George D. Roper Corp., owner.

SUBJECT—Application August 9, 1955—Roper Rotary Pumps, (rotary gear, positive displacement type), Series 3600, approval of.

APPEARANCES—

For Applicant: Robert L. Moog.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 704-55-SA.

Subject: Roper Rotary Pumps, Series 3600, Series K and Series F.

George D. Roper Corporation now known as Roper Hydraulics Inc., Rockford, Illinois filed August 9, 1955 an application with the Board of Standards and Appeals for approval of the appliance known as the Roper Rotary Pumps, Series 3600, K and F under the provisions of C19-69.0 Administrative Code.

Purpose

The pump is used for transferring and pressurizing liquids.

Description

The basic design of the pump is two rotary gears of equal size rotating inside of a housing to obtain the proper function. The Series 3600 or 3601 has coarse pitch tooth gears designed for slow speed operation at low pressures. The K Series has fine pitch tooth gears for higher speed operation and medium discharge pressures. The F Series is the same basic design as the K Series except the bearing sizes and areas permit higher discharge pressure.

The pump consists of bearings of high lead bronze which makes them self lubricating; outboard bearing; adjustable relief valve which permits operator to close discharge without stopping the pump, helical gears and stainless steel shafts.

Inspection and Test

The pumps have been approved by the Underwriters Laboratory under MH279 and MH1832. The 3600 or 3601 has a capacity ranging from 40 to 300 GPM at 60 psi, Series F 1 to 300 GPM at 300 psi and the Series K ¾ to 50 GPM at 150 psi.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as the Roper Rotary Pump, Series 3600, 3601, K and F for voluntary use in New York City, under the provisions of C19-69.0 Administrative Code for use as an oil burner pump and for the use in discharge systems where the liquids are in such quantities as to make hand operation impracticable on condition that each appliance bear a label permanently affixed reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 704-55-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

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578-57-SM

APPLICANT—General Fireproof Door Corp., owner.
SUBJECT—Application July 12, 1957—General Hollow Metal Door, approval of.

APPEARANCES—

For Applicant: Morris I. Karpen.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 578-57-SM.

Subject: General Hollow Metal Door.

M. I. Karpen for General Fire-Proof Door Corp. filed July 12, 1957 an application with the Board of Standards and Appeals, for approval of the material known as the General Hollow Metal Door under the provision of C26-610.0 Administrative Building Code.

Report

The material is to be used as a 1½ hour fire resistive opening protective assembly.

Description

The door is of hollow metal construction 6'-11" in height by 3'-8" side by 1¾ inches in thickness, constructed of 19 gauge cold-rolled steel sheets, double interlocked at the side edge and arc welded at top and bottom. Number 18 gauge pressed steel channels are provided at top and bottom of the door, spot welded on 6 inch centers to both faces of the door. Five intermediate vertical pressed steel stiffeners of double No. 20 gauge metal are spaced 8½ inches on center extending to within ¾ inches of the top and bottom channels and are spot welded 4 inches on center to both faces of the door. The hinge and lock locations are reinforced with plates of No. 10 gauge steel welded to the edges and faces of the door.

The door is hung on 1½ pairs of 4½ butts and the lock is a Schlage with ¾ inch throw.

The core of the door is insulated with compressed mineral wool insulating blocks 1½ inches thick with a density of 20 pounds per cu. ft. manufactured by the Eagle-Pitcher Co. under the trade name of Supertemp. The top and bottom channels are pierced with three ¼ vent holes.

Inspection and Test

The door was tested at Protexol in accordance with the requirements of C26-610.0 Administrative Building Code and successfully met the requirements of the fire and hose stream tests.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as General Hollow Metal Door when manufactured as herein described by the General Fire-Proof Door Corp. for use in New York City under the provision of C26-661.0, C26-662 and C26-663.0 Administrative Building Code on condition that the requirements of the Rules for Inspection of Opening Protective Assemblies is complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

745-57-SM

APPLICANT—Tomkins Brothers, Agent for Penn Crete Products Co., owner.

SUBJECT—Application October 8, 1957, — Dura-Weld (liquid bonding agent for bonding plaster to concrete), approval of.

APPEARANCES—

For Applicant: L. W. Morrison and Herman Kirshbaum.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 745-57-SM.

Subject: Dura-Weld.

L. W. Morrison for Penn Crete Products Company, Philadelphia, Pa. filed October 8, 1957 an application with the Board of Standards and Appeals for approval of the material known as Dura-Weld under the provisions of C26-464.0 Administrative Building Code.

Purpose

The material is a bonding agent to be used to bond plaster to concrete.

Description

Dura-Weld is a liquid having a viscosity about equal to paint. Basically this material is a resinous water emulsion combined with plasterizers. The Board considers the formula is of a proprietary nature and has therefore, placed the formula in a sealed envelope which has been placed in the Board's safe, so that the constituent parts of the formula will not be disclosed but can be checked at any time if necessary.

Inspection and Test

The following tests were conducted on the material at the E. L. Conwell & Company Laboratory, Philadelphia, Pa., Tension Shear, vibration, acidity and toxicity.

The tensile tests were made on three different groups of standard briquettes.

The first group consisted of three briquettes each of (1) neat cement; (2) Ohawa Sand Mortar; (3) Sand Mortar; (4) brown coat; (5) Acoustical plaster; (6) perlite plaster and (7) finish plaster.

The second group was made up by cementing together the halves of the first group, after testing, with Dura-Weld.

The third group was made up by taking half briquettes of neat cement, placing them in the briquette molds, coating the exposed cross section with Dura-Weld thin moulding the other half of brown coat, acoustic plaster, Perlite Plaster and finish plaster.

Results were as follows:

	Group I	Group II	Group III
Neat Cement	470 psi	455 psi	
Ohawa Sand Mortar	385 "	333 "	
Sand Mortar	403 "	412 "	
Brown Coat	108 "	128 "	110 psi
Acoustical Plaster	93 "	82 "	80 "
Perlite Plaster	175 "	155 "	167 "
Finish Plaster	227 "	222 "	228 "
Shear = 427 psi			

Vibration—At the end of 230,000 vibrations there was no sign of failure in the plaster or in the bond.

Acidity—No change in the PH at end of 25 days.

Toxicity—The toxic effect of the product of combustion was no more dangerous than the products of combustion of other materials used in construction.

The complete report is on file with and is part of the record.

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Recommendation

On the basis of the tests and the data filed by the applicant, the committee on Test recommends the approval of the material known as Dura-Weld for voluntary use in New York City as a bonding agent to bond plaster to concrete or the cement mortar; the Committee further recommends that this material may be used as an adhesive to bond a finish coat directly over concrete, provided a three coat plaster is not required, for example a lime putty finish coat applied on a concrete column.

It is further recommended that in no way shall this material be construed to be the equivalent, nor shall it be used in lieu of a coat of plaster and further that each container in which this material is marketed shall be marked, labeled or stamped as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 745-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

952-57-SA

APPLICANT—Haus and Bresin for Fulton Boiler Works, Inc., owner.

SUBJECT—Application December 4, 1957—Fulton Combination Gas and Oil-fired Burner Boiler Unit, approval of.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 952-57-SA.

Subject: Fulton Combination Gas and Oil Fired Boiler Unit.

Haus and Bresin for Fulton Boiler Works, Inc., Pulaski, New York, filed December 4, 1957 an application with the Board of Standards and Appeals for approval of the appliance known as the Fulton Combination Gas and Oil Fired Boiler Unit under the provisions of Article 12 Chapter 26 Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

The appliance is to be used for domestic and commercial installation.

Description

The combination gas and oil fired burner boiler is a package type boiler unit, the burner being an integral part of the boiler.

The boiler is so arranged that the fuel can be changed from gas to oil or vice versa. To effect this change, the gas burner plate and gas controls are removed from the top of the boiler and the oil burner, burner plate and oil controls substituted.

The gas fired boiler unit has been approved by the Board under Calendar Number 498-54-SA and the oil fired boiler unit has been approved under Calendar Number 499-54-SA.

The boiler is a cornish type, consisting of an outershell with a furnace in the center having a water wall around the furnace. The burner is placed on top of the furnace and the combustion takes place in the furnace with the flow of gases downward toward the bottom of the furnace. The

boiler is supported by angle iron legs which are protected against the heat of the gases by forms of fire brick.

Below the legs is a steel base which holds the insulation and refractory base which forms the bottom of the combustion chamber.

When gas fired, the burner is a pressure type. Air is delivered into the furnace by a fan. Gas is delivered through two gas valves. A pilot solenoid valve first opens allowing the gas to enter the furnace through a gas nozzle. This gas is ignited by two igniter electrodes which are fed by an electric transformer. After the pilot flame is established, the main gas diaphragm valve opens; in the event the gas does not ignite, the burner will shut off, closing the pilot valve. If the flame disappears, the pilot and main valve will close. A steam pressure control cuts off the burner when the steam pressure in the boiler reaches a predetermined pressure. A steam safety valve provides protection in the event of excessive boiler pressure. A low water safety switch will shut down the burner in the event that the water recedes to a low level.

When the boiler is oil fired, the burner is of the pressure atomizing type. The oil is ignited by two ignition electrodes which are fed through an ignition transformer. A protecto relay and photo cell are joined into the oil burner circuit and provide a shut-off in the event of flame failure. The boiler is also equipped with safety valves and low water cutoff.

Inspection and Test

Details of construction were examined by Asst. Engr. J. A. Darts, Committee on Test. The boiler has been approved by the Underwriters Laboratories.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Fulton Combination Gas and Oil Fired Boiler Unit for use in New York City in domestic and commercial installation when construction as herein described and installed in accordance with Article 12 Chapter 26 Administrative Building Code and the Oil Burner Rules of the Board and further the appliance shall bear a label permanently affixed, reading: "Approved by the Board of Standard and Appeals for use in New York City under Calendar Number 952-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

995-57-SM

APPLICANT—Tile Council of America, Inc., for Upco Co., owner

SUBJECT—Application December 19, 1957—Tile-Mate, self-curing portland cement mortar for setting ceramic tile, approval of.

APPEARANCES—

For Applicant: Lamar H. Brown.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 995-57SM.

Subject: Tile-Mate, self curing portland cement mortar for setting ceramic tile.

MINUTES

Tile Council of America for Upco Company, Cleveland, Ohio, filed December 19, 1957 an application with the Board of Standards and Appeals for approval of the material known as Tile-Mate under the provisions of C26-191.0 Administrative Building Code.

Purpose

The material is a portland cement mortar for setting ceramic tile.

Description

The material is a mix of methyl cellulose of medium to high viscosity grade and an alkaline earth metal polysulfide. The dry compositions are mixed with water just prior to use to form mortars. The exact formula is of such a nature that the Board has decided that it should remain confidential and kept in the Board's safe.

Inspection and Test

Samples of the material were identified by Asst. Engr. J. A. Darts and G. F. Sklenarik, Committee on Test, and witnessed shear tests on the material at the Tile Council of America Research Center, Princeton, New Jersey.

The tests and results were as follows:

1. Tiles cured for 28 days at room condition, then immersed in 3% soap solution for 2 months.
 - A) Tiles prepared with Tile-Mate—65 p.s.i. (tile fractured).
 - B) Tiles prepared with neat portland cement—69 p.s.i.
2. Tiles cured for 28 days, then immersed in 3% soap solution for one month, then room conditioned for 3 weeks.
 - A) Tiles prepared with Tile-Mate—113 p.s.i.
 - B) Tiles prepared with portland cement—68 p.s.i.
3. Tiles dry cured for 7 days, then immersed for 30 days in a 3% soap solution.
 - A) Tiles prepared with Tile-Mate—122 p.s.i.
4. 3 months dry cure—no soak in soap solution.
 - A) Tiles prepared with Tile-Mate—166 p.s.i.
 - B) Tiles prepared with portland cement—83 p.s.i.
 - A) Tiles prepared with Tile-Mate—503 p.s.i.
 - B) Tiles prepared with portland cement—229 p.s.i. (tile fractured)

Recommendation

On the basis of the tests and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Tile-Mate for voluntary use in New York City as a self-curing portland cement mortar for setting ceramic tile when used in accordance with the manufacturer's specification on condition that the container in which the material is marketed shall be tagged, stamped or labeled: "Approved by the Board of Standards and Appeals for use in New York City under Cal. 995-57-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

996-57-SM

APPLICANT—Tile Council of America, Inc., for Borden Co., owner.

SUBJECT—Application December 19, 1957—Vitro-Bond, self-curing portland cement mortar for setting ceramic tile, approval of.

APPEARANCES—

For Applicant: Lamar H. Brown.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 996-57-SM.

Subject: Vitro-Bond, self curing portland cement mortar for setting ceramic tile.

Tile Council of America for Borden Company, Middlesex, New Jersey filed December 19, 1957 an application with the Board of Standards and Appeals for approval of the material known as Vitro-Bond under the provisions of C26-191.0 Administrative Building Code.

Purpose

The material is a mix of methyl cellulose of medium to high viscosity grade and an alkaline earth metal polysulfide. The dry compositions are mixed with water just prior to use to form mortars. The exact formula is of such a nature that the Board has decided that it should remain confidential and kept in the Board's safe.

Inspection and Test

Samples of the material were identified by Asst. Engr. J. A. Darts and G. F. Sklenarik, Committee on Test and witnessed shear tests on the material at the Tile Council of America Research Center, Princeton, New Jersey.

The tests and results were as follows:

1. Tiles cured for 28 days at room condition, then immersed in 3% soap solution for 2 months.
 - A) Tiles prepared with Tile-Mate—65 p.s.i. (tile fractured).
 - B) Tiles prepared with neat portland cement—69 p.s.i.
2. Tiles cured for 28 days, then immersed in 3% soap solution for one month, then room conditioned for 3 weeks.
 - A) Tiles prepared with Tile-Mate—113 p.s.i.
 - B) Tiles prepared with portland cement—66 p.s.i.
3. Tiles dry cured for 7 days, then immersed for 30 days in a 3% soap solution.
 - A) Tiles prepared with Tile-Mate—122 p.s.i.
4. Three months dry cure—no soak in soap solution.
 - A) Tiles prepared with Tile-Mate—166 p.s.i.
 - B) Tiles prepared with portland cement—83 p.s.i.
 - A) Tiles prepared with Tile-Mate—503 p.s.i.
 - B) Tiles prepared with portland cement—229 p.s.i. (tile fractured)

Recommendation

On the basis of the tests and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Vitro-Bond for voluntary use in New York City as a self-curing portland cement mortar for setting ceramic tile when used in accordance with the manufacturer's specification on condition that the container in which the material is marketed shall be tagged, stamped or labeled as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 996-57-SM.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

997-57-SM

APPLICANT—Tile Council of America, Inc., for L. and M. Tile Products, owner.

SUBJECT—Application December 19, 1957—L. and M. Master Mix, self-curing portland cement mortar for setting Ceramic Tile, approval of.

APPEARANCES—

For Applicant: Lamar H. Brown.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 997-57-SM.

Subject: L. and M. Master Mix, self curing portland cement mortar for setting ceramic tile.

Tile Council of America for L. and M. Tile Products, Dallas, Texas filed December 19, 1957 an application with the Board of Standards and Appeals for approval of the material known as L. and M. Master Mix under the provisions of C26-191.0 Administrative Building Code.

Purpose

The material is a portland cement mortar for setting ceramic tile.

Description

The material is a mix of methyl cellulose of medium to high viscosity grade and an alkaline earth metal polysulfide. The dry compositions are mixed with water just prior to use to form mortars. The exact formula is of such a nature that the Board has decided that it should remain confidential and kept in the Board's safe.

Inspection and Test

Samples of the material were identified by Asst. Engr. J. A. Darts and G. F. Sklenarik, Committee on Test, and witnessed shear tests on the material at the Tile Council of America Research Center, Princeton, New Jersey.

The tests and results were as follows:

1. Tiles cured for 28 days at room condition, then immersed in 3% soap solution for 2 months.

A) Tiles prepared with Tile-Mate—65 p.s.i. (tile fractured).

B) Tiles prepared with neal portland cement—69 p.s.i.

2. Tiles cured for 28 days, then immersed in 3% soap solution for 1 month, then room conditioned for 3 weeks.

A) Tiles prepared with Tile-Mate—113 p.s.i.

B) Tiles prepared with portland cement—83 p.s.i.

3. Tiles dry cured for 7 days, then immersed for 30 days in a 3% solution (soap).

A) Tiles prepared with Tile-Mate—122 p.s.i.

4. 3 months dry cure—no soak in soap solution.

A) Tiles prepared with Tile-Mate—166 p.s.i.

B) Tiles prepared with portland cement—83 p.s.i.

A) Tiles prepared with Tile-Mate—503 p.s.i.

B) Tiles prepared with portland cement—229 p.s.i. (tile fractured).

Recommendation

On the basis of the tests and the data filed by the applicant, the Committee on Test recommends the approval of the material known as L. and M. Master Mix, for volun-

tary use in New York City as a self-curing portland cement mortar for setting ceramic tile when used in accordance with the manufacturer's specification on condition that the container in which the material is marketed shall be tagged, stamped or labeled as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 997-57-SM".

(Sgd.) SAMUEL L. BECKER,

Director

JOHN A. DARTS,

Asst. Engr.

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

232-58-SM

APPLICANT—J. P. Austin for Buckeye Iron and Brass Works, owner.

SUBJECT—Application April 8, 1958—Buckeye Iron and Brass Works, Safety-Fill Nozzle for dispensing Gasoline, Model 820UM, approval of.

APPEARANCES—

For Applicant: John P. Austin.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 232-58-SM.

Subject: Buckeye Iron and Brass Works, Safety Fill Nozzle for dispensing gasoline, Model 820 UM, approval of.

J. P. Austin for Buckeye Iron & Brass Works, Dayton, Ohio, filed April 8, 1958 an application with the Board of Standards and Appeals for approval of the Buckeye Safety Fill Nozzle, Model 820 UM, under the provisions of Section C19-70.0 Administrative Code.

Purpose

An automatic nozzle to control delivery of gasoline into the tanks of motor vehicles.

Description

The 820 UM nozzle valve is similar in design to the Model 820 previously approved by the Board under Cal. No. 807-48-SM, except for the following modifications:

A latch-open device has been added and a synthetic rubber nozzle tube with wire interliner has been substituted for the metal tube. The automatic mechanism has been changed to operate without need for lubrication.

The valve is initially opened by manually squeezing the lever, which may be latched in one of the notches cast into the guard.

The fulcrum end of the main valve lever is pivoted in a clevis at the end of the trip rod assembly. At the other end of this rod is pinned a special shouldered brass trip rod end in which a reversed L-shaped opening is provided. In normal operating position, the upper side of the horizontal section of the L-shaped opening bears on the upper roller.

When gasoline is discharged through the valve, the flow tends to evacuate the cavity on one side of the diaphragm. But, while this cavity is vented to atmosphere through the vent tube, no partial vacuum is produced and the diaphragm is not moved. When the tank is filled, gasoline covers the exit of the vent tube. The venting is restricted, creating a partial vacuum in the diaphragm cavity, and the diaphragm and latch clevis are drawn inward. The rollers move with the latch clevis until they are in the vertical position of the

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L-shaped opening in the trip rod end casting, permitting this casting to move downward. This movement causes the fulcrum end of the valve lever to move downward, causing the valve to close even though the free end of the lever is latched or manually held in the open position.

When the valve is thus closed and the lever is released, the trip rod assembly is moved upward into normal position by the trip rod spring. The diaphragm and clevis are then moved forward by the diaphragm spring. As a result, the rollers are forced forward and again engage in the horizontal section of the L-shaped opening. This puts the valve in condition to be opened by raising the free end of the operating lever manually.

When the valve is open, it can be closed at any time by releasing the free end of the lever from the operator's hand or from the notches in the guard. The free end of the lever is independent of the action of the automatic closing mechanism.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

The Model 820 UM was tested and approved by the Underwriters' Laboratories under file MH 1460.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Buckeye Safety Fill Nozzle Model 820 UM for use in New York City with approved dispensing pumps having a flow rate of at least 5 gallons per minute and a delivery pressure of at least 10 pounds per square inch and provided that each nozzle shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 232-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

226-45-A

APPLICANT—Samuel R. Buxbaum, for My-R Construction Corp., owner; 872 Gerard Avenue Corp., lessee.
SUBJECT—Application for consideration—reopening for extension of term of variance—re Appeal from a decision of the Borough Superintendent; previously granted for a temporary term.

PREMISES AFFECTED—872 Gerard Avenue and 81-95 East 161st Street, northeast corner (2nd floor), Block 2476, Lot 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Gerald Paradise.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS; this application was granted by the Board on October 16, 1945, on certain conditions; and

WHEREAS, the term of variance was extended from time to time and last extended on June 26, 1956; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 16, 1955, as thereafter *amended* by resolutions adopted through

June 26, 1956, only so far as it has reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"that the present occupancy of the second floor east, consisting of dress store, may be continued for a term of two years from the date of this *amended* resolution, provided there is no manufacturing carried on; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; and that a new certificate of occupancy shall be obtained." (Alt. 594/54)

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf, for Continent Corporation, owner; Electra-Craft Appliance Company, lessee.
SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—348 West 42nd Street, north-side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

APPEARANCES—

For Applicant: Seymour A. Mitteldorf.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

927-54-A Vol. II

APPLICANT—Samuel Rosenblum, for Alfred Brainard, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously dismissed.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue, 1033-1039 St. Nicholas Avenue, southwest corner and 500-504 West 162nd Street, (2nd floor), Block 2120, Lot 23, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

111-56-A—Vol. II

APPLICANT—Godfrey L. Hansen, for Neptune Meter Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Fire Commissioner—re smoking in factory building; previously withdrawn.

PREMISES AFFECTED—47-25 34th Street, northeast corner of 48th Avenue, Block 250, Lot 1, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Godfrey Hansen.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

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123-58-A—Vol. II

APPLICANT—Abraham Grossman, for Benjamin Gordon, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent—re Egress, stair enclosure, factory, etc.; previously withdrawn.

PREMISES AFFECTED—821-823 Broadway and 51 East 12th Street, northwest corner, Block 564, Lot 22, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

322-40-S—Vol. II

APPLICANT—Arnold A. Arbeit, for 192 Associates, Inc., owner.

SUBJECT—Application reopened February 26, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re egress.

PREMISES AFFECTED—192 Broadway and 1-11 John Street, northeast corner, Block 79, Lot 15, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 1, 1958, at 2 P.M. at request of the applicant.

829-56-A

APPLICANT—Lama, Proskauer and Prober, for Jenny Lazzaro, owner.

SUBJECT—Application November 26, 1956—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—84 University Place, west side, 48 feet north of East 11th Street, Block 569, Lot 26, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over; referred to examiner for new date of hearing to be set.

349-57-A

APPLICANT—Herman Kron, for Wallace Furniture Corp., owner.

SUBJECT—Application April 22, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—507 East 80th Street, north side, 148 feet east of York Avenue, Block 1577, Lot 7, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Laid over for inspection and decision; date of hearing to be set.

72-58-A

APPLICANT—Leonard F. Rothkrug, Samuel Gardstein and Son, for Irving and Alexander Lifton, doing business as L.B. Electric Supply Co., owners.

SUBJECT—Application February 21, 1958—Appeal from a decision of the Borough Superintendent, re width of stairs and doors, thickness of walls, etc.

PREMISES AFFECTED—5202-5208 New Utrecht Avenue, southwest corner of 52nd Street, Block 5662, Lots 17, 20, 21 and 22, Borough of Brooklyn.

APPEARANCES—

For applicant: Leonard F. Rothkrug and Samuel Gardstein.

ACTION OF BOARD—Laid over to July 1, 1958, at 2 P. M. for inspection and decision; hearing closed.

341-58-A

APPLICANT—Tobias Goldstone, for Young Israel of Flatbush, owner.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re Class III construction, public use, re stairs, etc.

PREMISES AFFECTED—1300-1308 Coney Island Ave., west side, 320 feet north of Avenue J, Block 6523, Lot 85, Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and Elias Heller.

ACTION OF BOARD—Laid over to July 1, 1958, at 2 P. M. for inspection and decision; hearing closed.

234-36-BZ—Vol. II

APPLICANT—Trebuhs Realty Company, Inc., owner; Bonded Auto Sales, lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a retail-1 district, the change in occupancy from garage (previously granted by the Board for more than five motor vehicles and stores) to garage for more than five motor vehicles, used car sales and storage, stores and dance school.

PREMISES AFFECTED—1690-1698 Broadway and 203-209 West 53rd Street, northeast corner, Block 1025, Lot 25, Borough of Manhattan.

APPEARANCES—

For Applicant: Gerald Schoenfeld and Howard Marrow.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was *amended* by the Board as Vol. II on December 11, 1945, on certain conditions; and

WHEREAS, the term of variance was extended from time to time and last extended on November 4, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 11, 1945, as thereafter *amended* by resolutions adopted through November 4, 1953 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“ . . . granted under Section 7, Subdivision e for a term of five years from the date of this *amended* resolution, to permit . . . ; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 2311/46)

778-50-BZ

APPLICANT—Gilbert Lazerus, for Morris Maran and Jerrold Golding, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 18,

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1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a business building (stores) for a term of years.

PREMISES AFFECTED—154-25 to 154-57 Horace Harding Boulevard and 59-61 154th Place, northeast corner, Block 6732, Lot 70, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Gilbert Lazerus.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 15, 1951, on certain conditions; and

WHEREAS, the resolution was amended on June 14, 1955; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on June 18, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 15, 1951, as thereafter amended by resolutions adopted through June 18, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that no work has yet been done because of the construction of Horace Harding Expressway, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (N. B. App. 8335-50.)

260-55-BZ

APPLICANT—Abraham Grossman, for Leonard J. Swanson, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired May 1, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, permitting in a residence use district, the change in occupancy from 4 car private garage on first floor to plumbing shop, office and private garage for 2 cars.

PREMISES AFFECTED—37-39 Perry Street, north side, 215 feet 4 inches west of Waverly Place, Block 613, Lot 38, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 1, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 1, 1956 only so

far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision e for a term of five years from date of this amended resolution to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (Alt. App. 202/56)

407-56-BZ

APPLICANT—Richmond Hill Savings Bank, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence use district, the erection of an extension to an existing bank building located on the business use district portion of the plot and permitting in a C area district the coverage of a greater area of the lot than is permitted by Section 13 (b) of the Zoning Resolution.

PREMISES AFFECTED—115-20 Jamaica Avenue, southwest corner of 116th Street, Block 9305, Lot 9 (formerly Lots 9 and 12) Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Howard J. Schmahl.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

WHEREAS, this application was granted by the Board on July 24, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 24, 1956 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that the exterior work is now complete and that the interior work is progressing, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (Alt. App. 2146/56.)

715-56-BZ

APPLICANT—Wechsler & Schimenti, for Kaybar Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 18, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a retail use D area district, the construction of a one story masonry building for use as stores and occupying more than the permitted area eliminating the required rear yard and loading berth.

PREMISES AFFECTED—1979 Westchester Avenue, north side, 57.67 feet west of Pugsley Avenue, Block 3930, Lots 57 and 59, Borough of The Bronx.

APPEARANCES—

For Applicant: Emanuel Fogel.

ACTION OF BOARD—Application reopened and time to complete work extended.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 18, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 18, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."
(Alt. App. 865/56)

769-56-BZ

APPLICANT—E. Richard Crino, for 308 Realty Corp., owner; College Auto Parts, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7b, 7c and 7i of the Zoning Resolution, permitting in a business and residence use district, the reconstruction of an existing gasoline and oil service station, office and garage for storage of more than five motor vehicles and parking lot for more than 5 motor vehicles, to gasoline and oil service station, office, store, and storage of parts, auto repair shop, lubritorium, state motor vehicle inspection service, and parking of more than 5 motor vehicles.

PREMISES AFFECTED—306-312 East 170th Street, south side, 50.08 feet east of College Avenue, Block 2783, Lots 37, 39 and 40, Borough of The Bronx.

APPEARANCES—

For Applicant: E. Richard Crino.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 25, 1957 by adding thereto:

"that in the event the owner desires to make a minor change in connection with the pit, such change may be permitted as indicated on revised plans marked "Received May 28, 1958", 2 sheets, as passed by the Borough Superintendent under NB App. 1559-56, objection dated May 6, 1958, on condition that in all other respects the resolution above cited shall be complied with."

944-57-BZ

APPLICANT—Moritz Simon, for 77 East 115th Street, Inc., owner; Charles Sigal, lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the

Borough Superintendent; previously granted on condition, under sections 7c and 7A of the Zoning Resolution, permitting in a local retail and residence use district, the erection of a 2-story extension for use as a retail store and office with show windows within 75 feet of a residence use district and business entrances exceeding 3 feet 6 inches in width.

PREMISES AFFECTED—75-79 East 115th Street, north side, 26 feet west of Park Avenue, Block 1621, Lots 32, 33 and 34, Borough of Manhattan.

APPEARANCES—

For Applicant: Moritz Simon.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 22, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 22, 1958 by adding thereto:

"that in the event the owner desires to construct a building one story only in height instead of two, as previously permitted, such reduction in height to one story may be permitted as now shown on revised plans marked "Received June 4, 1958", two sheets, and as passed on by the Borough Superintendent under Alt. App. 1556-57, objection denied June 4, 1958; that other than as to the reduction in height the requirements of the resolution above cited shall be complied with."

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Marguerite F. Brower & Fredrene Realty Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and toilets for a stated term of 15 years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure to consider enlargement of and rearrangement of existing gasoline service station.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

752-29-BZ—Vol. IV

APPLICANT—Leonard F. Rothkrug, for Walbell Real Estate Corp., owner.

SUBJECT—Application reopened May 6, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted use district, the erection and maintenance of a building to be used as an automobile showroom, display and sale of auto accessories and parts and motor vehicle

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repair shop incidental to authorized auto dealer's use and permitting the outdoor parking for patrons and employees and permitting a gasoline service station for a term of 10 years (previously granted by the Board for the parking and storage of more than 5 motor vehicles).
PREMISES AFFECTED—8801-8809 4th Avenue and 402-412 88th Street, southeast corner, Block 6065, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.
ACTION OF BOARD—Application withdrawn as to Vol. IV; request to reopen Vol. III laid over to July 1, 1958 on Special Order Calendar

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

694-53-BZ

APPLICANT—Lama, Proskauer and Prober, for Thomas and Mary Skeades, owners.

SUBJECT—Application September 28, 1953—re (decision of the Borough Superintendent) under sections 7f, 7i, 7h and 7A of the Zoning Resolution, to permit in a retail use district, for a term of 15 years, the erection and maintenance of a gasoline service station, car wash, lubritorium, motor vehicle repairs, sale of accessories and office and to permit the parking and storage of motor vehicles on unbuilt upon portion of lot, with a curb cut nearer to residence use district than is permitted.

PREMISES AFFECTED—253-11 Hillside Avenue and 83-52 to 83-60 Little Neck Parkway, northwest corner and 83-51 to 83-59 253rd Street, Block 8596, Lot 33, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.
ACTION OF BOARD—Application withdrawn without prejudice. The Applicant does not wish to process the application further and wishes to withdraw without prejudice.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

462-57-BZ

APPLICANT—James E. Vassalotti, for Louis Charnoff, owner.

SUBJECT—Application June 18, 1957—decision of the Borough Superintendent under section 7e of the zoning resolution, to permit in business use D area district a high speed auto laundry, car polishing, boiler room, locker room, office waiting room and parking of cars awaiting service.

PREMISES AFFECTED—1461-1463 Linden Boulevard and 589-601 Thatford Avenue, northeast corner, Block 3637, Lot 11, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Lama.
ACTION OF BOARD—Application withdrawn. The applicant states the owner does not wish to process this application further.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

Adjourned: 5:35 P.M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, JUNE 27, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug, Alfred Kaskel, Philip Birnbaum and Harry Haback.

For Opposition: Mrs. John W. Schulz, Jeanne L. Brown, Sally E. Chahal, Lenore Fomon, Ludwig Nathan, Anton E. Meckman, Patricia W. Brooks, Lillian M. Clavin, Mrs. Samuel Mandel, Mrs. Byard Williams, Osborne A. McKegney, Arthur M. Laufer, Robert M. Morgentau, Margaret De Cuevas, Richard C. Van Varick, George M. Duff, Jr., Albert N. Perretta, Thomas Thacher, Louis A. Calla and Ludwig P. Bono.

ACTION OF BOARD—Laid over for inspection and decision; hearing closed; date for decision to be determined.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of the Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug, Alfred Kaskel, Philip Birnbaum and Harry Haback.

For Opposition: Osborne A. McKeyney, Arthur M. Laufer, Robert M. Morgenthau, Margaret deCuevas, Richard E. Van Varick, George M. Duff, Jr., Albert N. Perretta, Thomas Thacher, Louis Cella, Ludwig P. Bono, William Brown Meloney, Mrs. William Brown Meloney, Mrs. A. Sirvuch and Luisa Ruffa.

ACTION OF BOARD—Laid over for inspection and decision; hearing closed; date for decision to be determined.

385-58-SR

Proposed Rule for the Interpretation of Section 19-A of the Zoning Resolution of the City of New York.

APPEARANCES—

For Applicant: Julian Roth and John R. O'Donoghue.
ACTION OF BOARD—Laid over to Friday, July 11, 1958, at 10 A.M., for further hearing and statement from the Real Estate Board of New York.

Adjourned 1.30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1014, Municipal Building, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

3

University of Illinois Library
Serials Dept.
Urbana, Ill.

RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stair hall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

RULE 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator car, in English, and also in such other language or languages—as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon the expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which the hours between which, and the place or places in such factory where smoking may be permitted, and this

permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fireresisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

JUL 22 1958

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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New York City

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE—Municipal Building, Manhattan, Room 1014, Centre
and Chambers Streets, New York 7, N. Y.

TELEPHONE—WHitehall 3-3600, Extensions 2600-2609.

OFFICE HOURS FOR PUBLIC—9 a.m. to 4 p.m.

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THE LIST OF APPROVED MATERIALS, APPLI- ANCES AND METHODS OF CONSTRUCTION.

NOW ON SALE

Section II, List of Approved Concrete and Clay Products,
issued June 27, 1958, listing all approvals through July 2,
1957.

Section I, List of Approved Gas Fired Heating Equip-
ment, Gas Burner and Heater Accessories. Oil Fired
Heating Equipment and Oil Burner and Heater Acces-
sories, issued June 1, 1955, listing all approvals through
May 24, 1955.

These pamphlets may be purchased in Room 1014,
Municipal Building, Manhattan. Single Copies \$1.25; By
Mail—\$1.50.

Further Sections will be published, containing other
approved materials and appliances.

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engi-
neers, pertaining to the work of the board, will be seen only
between the hours of ten in the morning and one in the
afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to seek
relief until it is filed on the form required by the rules of
this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official either borough super-
intendent of buildings or fire commissioner and file with
this board a duplicate of said notice.

Appellants and applicants are advised that their plans must
indicate the points of the compass so as to establish the true
location and position of the property, the subject of the
appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases filed up to July 1, 1958

Cal. No. Dept. Premises Affected

387-58-SM—Re: Fentron Super-Bar 200 Steel Detention and Security Windows, manufactured by Fentron Industries, Inc., Material.

388-58-BZ—B.Bx.—3480-3488 Boston Road and 3370 Corsa Avenue, southeast corner, Block 4743, Lot 1, Borough of the Bronx. Alt. 520-58—Commercial use, area excessive, residence use district.

389-58-BZ—B.Bx.—2120-2126 Barnes Avenue and 800-818 Lydig Avenue, southeast corner, Block 4293, Lot 31, Borough of the Bronx. NB 503-49 Area coverage excessive, C area, residence use district.

390-58-SM—Re: Red Head—self drilling concrete fastener, manufactured by Phillips Drill Company, Material.

391-58-BZ—B.Bx.—1312-1318 Taylor Avenue, east side, 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, 15, Borough of the Bronx. Alt. 342-58, parking and storage, residence and retail use districts.

392-58-SA—Re: Ingersoll-Rand, Vertical Centrifugal Pumps for Fuel Oil, Models VP and VHTB, manufactured by Ingersoll-Rand Co., Appliance.

393-58-BZ—B.Q.—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens, N.B. 1610 and 1611-58—re two buildings on one lot, side yards, rear yards, parking 14 units, residence and retail use districts.

394-58-A—B.Q.—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens, N.B. 1610 and 1611-58 (under Section 36 of the General City Law re erection of building not fronting on legal street).

395-58-A—BR—1300 Hyland Boulevard, east side, 181.76 feet north of Old Town Road, Block 3224, Lot 14, Grassmere, Borough of Richmond. Alt. 546-54 (under Section 35 of the General City Law—re erection of buildings not in bed of mapped street—Quintard Street).

396-58-BZ—B.B.—1680-1688 Albany Avenue, west side, 48-18 feet south of Marginal Street (at Avenue H), and 4016-4018 Marginal Street (at Avenue H), Block 7744, Lots 47, 49, and 50, Borough of Brooklyn. Alt. 969-58-BZ—re proposed change of use to two (2) car garages, repairs, parking and storage in conjunction with stores and offices, sale of oil and gas, entrances—business use district.

397-58-BZ—B.Bx.—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of the Bronx. Alt. 526-58—re Change of use to motor vehicle repair shop—residence use district.

398-58-BZ—B.B.—7914-7920 3rd Avenue, west side, 53 feet, 9 inches north of 80th Street, Block 5978, Lot 46, Borough of Brooklyn. Alt. 3449-58—change of use from office to factory—local retail use district.

399-58-A—B.B.—7914-7920 3rd Avenue, west side, 53 feet 9 inches, north of 80th Street, Block 5978, Lot 46, Borough of Brooklyn. Alt. 3449-58—re Live Load.

Restored to Docket

8-58-A—Vol. II—B.M.—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan. Alt. 1765-57—re egress.

557-47-A—Vol. III—B.B.—522-528 Fulton Street, south side 60 feet east of Hanover Place, Block 161, Lot 27, Borough of Brooklyn. Alt. 772-41 and B.N. 3370-57—re combining of buildings.

859-52-A—Vol. II—B.Q.—23-15 127th Street, east side, 100 feet south of 23rd Avenue, Block 4231, Lot 27, College Point, Borough of Queens. Alt. 856-58—re frame dwelling extension of—fire limits.

763-53-A—Vol. II—B.Q.—23-23 128th Street, east side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens. Alt. 857-58—re frame dwelling extension of—fire limits.

1051-21-BZ—Vol. IV—B.B.—1820-1832 Cropsey Avenue and 231-245 Bay 19th Street, southwest corner, Block 6464, Lot 16, Borough of Brooklyn. Alt. 853-58—re proposed extension of building to include garage for trucks, motor vehicle repair shop, etc.—business and residence use districts.

326-41-BZ—Vol. II—B.B.—2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn. Alt. 4377-54 reopened for extension of time to complete—expired July 9th 1958, re continued use of frame building for 7 car garage, residence use district.

910-42-BZ—Vol. II—B.B.—2801-2817 West 8th Street, 631-641 Sheepshead Bay Road, northeast corner, and 644 Neptune Avenue, Block 7270, Lots 14, Borough of Brooklyn. Alt. 875-58—re change in use from garage and showroom to repair shop, welding, office and storage of plumbing supplies—business use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A

CALENDAR

Last Publication

Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime) ..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior)	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
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Spraying and Drying of Paints, Varnishes, Lacquers, etc.	April 15, 1958.
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Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code) ..	June 7, 1932—Vol. 17, No. 23
	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

JULY 8, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, July 8, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

870-57-BZ

APPLICANT—Jerome W. Perlstein, for Jack Perlow, owner.

SUBJECT—Application November 21, 1957—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a "G-1" area district, the erection of a one-story extension to an existing two-story, one family dwelling to be used in conjunction with the dental office on the first floor, the proposed extension to encroach on the required rear yard.

PREMISES AFFECTED—75-85 182nd Street and 182-01 Union Turnpike, northeast corner. Block 7199, Lot 48, Flushing, Borough of Queens.

196-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, carwashing, office and sales room, minor auto repairs and parking of more than five cars.

PREMISES AFFECTED—2590-2604 Bailey Avenue and 2587-2601 Heath Avenue, northeast corner, Block 3239, Lot 1, Borough of The Bronx.

674-49-BZ—Vol. II

APPLICANT—Patrick D. Concagh, for Saverio and Peter Boffoli, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story structure for use as stores, storage of beer and soda, loading and unloading with patron parking and curb cuts for commercial use for a stated term of fifteen (15) years.

PREMISES AFFECTED—4391-4399 Baychester Avenue and 1960-1968 Nereid Avenue, southwest corner, Block 5056, Lot 38, Borough of The Bronx.

940-57-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Frank Letizia, doing business as Rainbow Beverage Co., owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a soda bottling factory for a term of twenty (20) years.

PREMISES AFFECTED—2254 Light Street and 3787 Merri Avenue, southwest corner, Block 4951, Lot 47, Borough of The Bronx.

623-49-BZ—Vol. II

APPLICANT—Theron R. Galloway, for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 9A of the Zoning Resolution, to permit in a one and one-half height district, the erection of two additional generating units with twin stacks and transmission towers having a height in excess of that permitted within two (2) miles of a designated air port.

PREMISES AFFECTED—East River, 800 feet north of 20th Avenue; 19-39 20th Avenue, Block 850, Lots 1 and 2, Astoria, Borough of Queens.

942-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools, sale of accessories and parking for more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

204-58-A

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application April 7, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Richmond Avenue.

PREMISES AFFECTED—3881 Richmond Avenue 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

CALENDAR

339-32-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty Inc., owner.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence, business and manufacturing use district, on a plot developed with two (2) buildings, the change in use of one building from storage and seasoning of pickles and tomatoes to the manufacture of incombustibles and the change in use of the second building from furniture storage and warehouse to auto glass shop, mixing of lubricating oils, and knitting and spinning with a one-family apartment, and to have accessory loading and unloading with parking on the unbuilt upon portion of more than five (5) cars.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street and 200-208 Minna Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

278-58-A

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty, Inc., owner.

SUBJECT—Application February 26, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

1004-57-BZ

APPLICANT—Henry J. Nurick, for Mrs. Palma Campbell, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one-story building from cooperage and barrel factory to a motor vehicle repair shop for body and fender repairs.

PREMISES AFFECTED—434-440 Manhattan Avenue, southeast corner of Bayard Street, Block 2724, Lot 7, Borough of Brooklyn.

971-41-BZ—Vol. III

APPLICANT—Herman Kron, for Charlotte K. Mark, owner, Brooklyn Parking Corp., lessee.

SUBJECT—Application reopened July 23, 1957 as Vol. III—re (decision of the Borough Superintendent) under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the extension of the existing parking lot for the parking and storage of more than five (5) motor vehicles by the addition thereto of the adjoining lot.

PREMISES AFFECTED—32-44 Clinton Street, west side, 105 ft. north of Pierrepont Street, Block 238, Lots 65 and 70, Borough of Brooklyn.

118-58-BZ

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and local retail use district, the change in use of an existing two and three story building, which were formerly two buildings and legally connected, from garage for more than five (5) cars and commercial garage to manufacturing of plastic toys and novelties, storage and assembly and shipping of lacquer coating, the proposed floor space used is in excess of the lot.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street Block 1480, Lot 2, Borough of Brooklyn.

119-58-A

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—Appeal from a decision of the Borough Superintendent, re provide additional stair.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

756-57-BZ

APPLICANT—Paul Friedman, for Mary Falco, owner.

SUBJECT—Application October 23, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit for a term of (15) fifteen years in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, sale and storage of auto accessories.

PREMISES AFFECTED—132-140 East 107th Street and 1710-1712 Lexington Avenue, southwest corner, Block 1634, Lot 158, Borough of Manhattan.

88-58-BZ

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the change in use within the existing building from theatre to bowling alley.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Avenue, Block 6022, Lot 22, Bayside, Borough of Queens.

89-58-A

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent; re stairways, exit, marquee, etc.

PREMISES AFFECTED—199-03 32nd Avenue, north side 20 feet east of Jordan Street, Block 6022, Lot 22, Bayside, Borough of Queens.

426-57-BZ

APPLICANT—Patrick D. Concagh, for Moschella Homes, Inc., owner.

SUBJECT—Application June 6, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning resolution, to permit in a residence use, "D-1" area district, the erection of a one story class 3 building to be used for eight (8) retail stores and occupying more than the permitted area.

PREMISES AFFECTED—2509-2519 Eastchester Road, west side, 100 ft. north of Mace Avenue, Block 4480, Lot 78, Borough of the Bronx.

990-57-BZ

APPLICANT—Albert Melniker, for Richmond Motor Fuels Inc. owner

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under sections 7c, 7e, and 7f of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and the parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing motor vehicle repair shop, located in the residence portion of the plot for a stated term of fifteen (15) years.

PREMISES AFFECTED—170-186 Gordon Street and 250-258 Broad Street, southwest corner, Block 563, Lot 72, Stapleton, Borough of Richmond.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol.

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II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

850-56-BZ

APPLICANT—Maurice G. Usan, for Jewish Community Center, owner.

SUBJECT—Application December 7, 1956—decision of the Borough Superintendent under sections 7a and 21 of the Zoning Resolution, to permit in an E area district, the construction of a two story and part three story addition to an existing community center occupying more than the permitted area having less than the required setback, side yard and rear yard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

314-58-A

APPLICANT—Maurice G. Usan, for Jewish Community Center, owner.

SUBJECT—Application May 12, 1958—filed pursuant to section 35, (3), General City Law—re alteration of existing building partially in bed of a mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

811-51-BZ—Vol. II

APPLICANT—Nathaniel C. Saxe, for Wides Motor Sales Corp., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7e and 7h of the zoning resolution, to permit in a residence use district, the erection and maintenance of a one-story building for use as a motor vehicle repair shop (hand tools only) to be used in conjunction with the existing automobile showroom with parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises.

PREMISES AFFECTED—14-06 to 14-16 Beach Channel Drive and 21-32 to 21-42 Nameoke Avenue, northeast corner, Block 8, Lot 1, Far Rockaway, Borough of Queens.

66-58-BZ

APPLICANT—John J. Tricarico, for Empire Fuel Co., owner.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the change in use of an existing one-story building from office, garage for five (5) trucks and storage of riggers equipment to office and storage of fuel delivery trucks.

PREMISES AFFECTED—1638 8th Avenue, west side, 100 feet south of Windsor Place, Block 1112, Lot 52, Borough of Brooklyn.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

350-57-BZ—Vol. II

APPLICANT—Burke, Green and Groh for Joseph B. Weynert.

SUBJECT—Application reopened June 10, 1958 as Vol. II—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of a two-story building for use as doctor's office on the first floor and two efficiency apartments on

the second floor having less than the required setback of 10 feet from a mapped street and without the required five (5) foot side yard.

PREMISES AFFECTED—58-44 Main Street, west side of, 20.74 feet north of 59th Avenue. Block 6378, Lot 40, Flushing, Borough of Queens.

1178-40-BZ—Vol. II

APPLICANT—Michaels and Michaels and Wigdor, for Trustees of Columbia University, owner; Jacob Goldstein, lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired April 14, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f of the Zoning Resolution, permitting in a residence and business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—309 East 34th Street, north side, 100 feet east of 2nd Avenue, 300-304 East 35th Street and 634-640 2nd Avenue, southeast corner, Block 940, Lots 8, 58, 59, 60 and 61, Borough of Manhattan.

224-57-BZ

APPLICANT—Haus and Bresin, for Adele Wilson and Elsie Katz, owners.

SUBJECT—Application March 26, 1957—(decision of the borough superintendent) under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a gasoline service station, auto washing, lubrication, offices, sale of auto accessories and minor repairs with hand tools only for the stated term of fifteen (15) years.

PREMISES AFFECTED—72-01 to 72-11 (72-05 official) Northern Boulevard, and 32-59 to 32-69 72nd Street, northeast corner, Block 1168, Lots 42 and 46 (42-new), Jackson Heights, Borough of Queens.

Laid over from October 1, 1957, to October 8, 1957, at the request of an objector; then to November 19, 1957, for inspection and decision; hearing closed; then to December 10, 1957, for further inspection and decision; then to January 7, 1958, for further consideration and decision; then laid over from January 7, 1958, for decision; date to be set; then set for May 6, 1958; then

Laid over; date to be set after applicant has filed administrative appeal; then set for July 8, 1958.

322-58-A

APPLICANT—Haus and Bresin, for Adele Wilson and Elsie Katz, owners.

SUBJECT—Application May 16, 1958—filed pursuant to Section 35, General City Law re building in bed of mapped Street—72nd Street.

PREMISES AFFECTED—72-01 to 72-11 (72-05 official) Northern Boulevard, and 32-59 to 32-69 72nd Street, northeast corner, Block 1168, Lots 42 and 46 (42 new), Jackson Heights, Borough of Queens.

209-58-BZ

APPLICANT—Lama, Proskauer and Prober, for David and Joseph Goldstein, and Nathan Machimson, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7c and 21 of the Zoning Resolution, to permit on a plot partly in a C area and partly in an E-1 area district, the erection of a six-story multiple dwelling extending into the E-1 area district, the portion in the E-1 area district occupies more than the permitted area, eliminates the required setback and side yard and having less than the required outer court.

PREMISES AFFECTED—1140-1146 Pelham Parkway South and 2140-2150 Williamsbridge Road, southeast corner, Block 4310, Lots 1 and 53, Borough of the Bronx.

Laid over from June 17, 1958 to July 8, 1958 for inspection and decision; hearing closed.

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783-55-BZ

APPLICANT—Hurley and Hughes, for Managements Audits, Inc., owners.

SUBJECT—Application September 30, 1955—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change of use of the present four story, one family residence, to offices in the basement, first and second floors and the third and fourth floors as a duplex apartment.

PREMISES AFFECTED—125 East 38th Street and 314 Lexington Avenue, northwest corner, Block 894, Lot 17, Borough of Manhattan.

Laid over from June 17, 1958, to July 8, 1958, for applicant to correct papers and for inspection and decision; hearing closed.

645-57-A

APPLICANT—Hurley and Hughes, for Management Audits, Inc., owner.

SUBJECT—Application August 18, 1957—Appeal from a decision of the Borough Superintendent, re stair enclosures, Class 3 construction—use of 4th floor to remain vacant, etc.

PREMISES AFFECTED—125 East 38th Street and 314 Lexington Avenue, northwest corner, Block 894, Lot 17, Borough of Manhattan.

14-58-BZ

APPLICANT—Frederick A. Ketcher, for Benjamin Kurtin and Louis Fayne, Partners.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1268 Shakespeare Avenue, east side, 100.3 feet, south of West 169th Street, Block 2506, Lot 85, Borough of The Bronx.

Laid over from June 17, 1958, to July 8, 1958, for inspection and decision; hearing closed.

81-58-BZ

APPLICANT—James E. Vassalotti, for Thomas A. Can- gem, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the change in use of two adjoining one-story buildings from processing and fabricating of gold for jewelry manufacturing and storage of five (5) motor vehicles to a garage for the parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—267-269 Elizabeth Street, west side, 83 feet, 5¾ inches south of East Houston Street, Block 508, Lot 28, Borough of Manhattan.

Laid over from June 17, 1958, to July 8, 1958, for inspection and decision; hearing closed.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Head- ley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of a residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958,

for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. Mc- Connell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. Mc- Connell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

85-58-BZ

APPLICANT—Goldwater and Flynn, for Peerless Oper- ating Corp., and 32 East 1st Street Realty Corp., owners.

SUBJECT—Application February 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, after demolition of the two existing buildings, the erection and maintenance of a gasoline service station, lubri- torium, car washing, office, storage and parking of more than five (5) motor vehicles and minor auto repairs.

PREMISES AFFECTED—20-24 2nd Avenue and 30-32 East 1st Street, northeast corner, Block 443, Lots 1 and 62, Borough of Manhattan.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

18-58-BZ

APPLICANT—Patrick D. Concagh, for Marie A. Peduto, owner; International Mill Work Corp., lessee.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the change in use in the premises from factory to saw and planing mill.

PREMISES AFFECTED—3308 Edson Avenue, northeast corner of Givan Avenues, Block 4881, Lots 75 and 77, Borough of The Bronx.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

59-58-BZ

APPLICANT—J. G. L. Molloy for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing twelve (12) story and penthouse building, from multiple dwelling to offices.

PREMISES AFFECTED—140 East 40th Street, south

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side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

60-58-A

APPLICANT—J. G. L. Molloy, for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—Appeal from a decision of the Borough Superintendent, re live load.

PREMISES AFFECTED—140 East 40th Street, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

298-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of the present building from furniture showroom to supermarket.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed.

299-58-A

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application April 14, 1958—Appeal from a decision of the Borough Superintendent, re stairs, live load, etc.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

949-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Pelham Bridge Realities, Inc., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7f, 7e and 7A of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, minor repairs with hand tools only, office, sale of accessories with show windows and business entrances within 75 feet of the residence use district.

PREMISES AFFECTED—2100-2110 Williamsbridge Road and 1141-1151 Lydig Avenue, northeast corner, Block 4310, Lots 30 and 33, Borough of The Bronx.

Laid over from June 3, 1958, to June 24, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for inspection and decision; hearing closed.

915-57-BZ

APPLICANT—Charles A. Buckley, Jr., for Stanton Management Inc., owner.

SUBJECT—Application December 16, 1957—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, office, lubritorium, minor repairs, sale of auto accessories, auto laundry and the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3625 Eastchester Road, 1495-1499 Oakley Avenue, northwest corner and 1144-1148 East 222nd Street, Block 4716, Lot 28, Borough of The Bronx.

Laid over from June 3, 1958, to June 24, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for further inspection and decision; hearing closed.

622-57-BZ

APPLICANT—Sidney H. Kitzler, for Beth Shalom of Kings Bay, owner.

SUBJECT—Application September 11, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the enlargement of the first floor and the erection of a second floor to an existing one-story synagogue that will occupy more than the permitted area coverage.

PREMISES AFFECTED—2702-2710 Avenue X and 2401-2411 East 27th Street, southeast corner, Block 7422, Lot 801, Borough of Brooklyn.

Laid over from June 17, 1958, to July 1, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for statement from applicant as to definite use as proposed premises.

HARRIS H. MURDOCK, *Chairman.*

JULY 8, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon*, July 8, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

349-55-SM

APPLICANT—Air-Maze Corporation, owner. John B. Hewett Co., Inc., Agent.

SUBJECT—Application May 2, 1955—Air-Maze Corporation Greastop Filter (kitchen range grease filter), approval of.

350-55-SM

APPLICANT—Continental Air Filter Company, owner.

SUBJECT—Application May 2, 1955—Continental E-Z Wash Grease Filter, Type GW, approval of.

352-55-SM

APPLICANT—Air Devices Inc., owner.

SUBJECT—Application May 2, 1955—Agitair Grease Filters, approval of.

354-55-SM

APPLICANT—Dollinger Corporation, owner.

SUBJECT—Application May 2, 1955—Dollinger Corporation, Grease Filter, Model PVR, approval of.

154-56-SA

APPLICANT—Pennsylvania Furnace & Iron Co., owner; Fullerton Equipment Corp., agent.

SUBJECT—Application February 16, 1956—Pennsylvania Sheet Steel Gas-Fired Furnaces, Models 55, 10A and Industrial Type, approval of.

646-56-SA

APPLICANT—Weil-McLain Company, owner. J.L. Plbg. & Htg. Supply Corp., Agent.

SUBJECT—Application September 10, 1956—Weil-McLain Gas Boiler Type J, Sizes J-6 through J-41, approval of.

694-56-SA

APPLICANT—Chas. M. Shapiro, for Manhattan Blower Corporation, owner.

SUBJECT—Application September 19, 1956—Manhattan Gas Fired Industrial paint drying oven, approval of.

699-56-SA

APPLICANT—Deerfield Machine Works, owner.

SUBJECT—Application September 25, 1956—Deerfield Horizontal Rotary Oil Burner, Models DD Sizes F, G and H Model BD sizes D, E, F, G, H, J and K, approval of.

245-57-SA

APPLICANT—General Electric Company, Air Conditioning Division, owner.

SUBJECT—Application March 12, 1957—General Electric Gas-fired Warm Air Furnace, Models 21LG10K, 21LG15K, 21LG20K, 21LG25K, 21LG30K, 21LG40K, 21LG10KS, 21LG15KS and 21LG20KS, approval of.

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660-57-SA

APPLICANT—John Wood Company, owner, R. E. McIntyre, Agent.
SUBJECT—Application August 15, 1957—John Wood Fluid Heat Gas Fired Furnaces, approval of.

855-57-SM

APPLICANT—Kuhns Brothers Company, owner.
SUBJECT—Application November 12, 1957—"K" Pipe Lock Coupling, Model 400D, approval of.

856-57-SM

APPLICANT—Kuhns Brothers Company owner.
SUBJECT—Application November 12, 1957—"K" Pipe Lock Coupling, Model 800-D, approval of.

21-58-SA

APPLICANT—Samuel Carr, for Mercury Molding Machinery, Inc., owner.
SUBJECT—Application January 6, 1958—Mercury Roto-Molder Models SD2, SD3, and SD4, approval of.

266-34-SA

APPLICANT—Iron Fireman Manufacturing Company, new owner.
SUBJECT—Application for consideration for reopening and amendment of resolution as to change of ownership from Scaife Company to Iron Fireman Manufacturing Company—Timken Silent Automatic Oil Burner, Model G and OCO-21 previously approved.

967-47-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened January 7, 1958 as to amendment of resolution as to glue—Douglas Fir Plyscord (plywood sheathing); previously approved.

577-49-SM—Vol. II

APPLICANT—Armstrong Cork Company, Inc., owner.
SUBJECT—Application for consideration for reopening and amendment of resolution as to marketing under additional trade name, National Gypsum Co.—"Acoustifer"—Armstrong's Cushiontone with factory application of Armstrong's Fire Resistant Paint; previously approved.

689-49-SM

APPLICANT—Insulrock Company, Division of The Flintkote Company, owner.
SUBJECT—Application reopening February 18, 1958 for amendment of resolution as to additional thickness of insulrock—re SK Insulrock Insulating Roof Deck; previously approved.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional trade name, A. O. Smith Corp., Permaglas, Model 55JZ—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

552-50-SA—Vol. III

APPLICANT—H. K. Woodward, for Bowser Inc., owner.
SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional models of gasoline dispensing pumps, 1500 Series—re Bowser Self-Contained Gasoline Pumps, Models, 520-A, 521, 525, 530, 575-A, 585, 595, 596 with or without suffix K, KR and R, Models 1100, 110R, 1101R, 1102; previously approved.

81-53-SM

APPLICANT—F. E. Schundler & Company, Inc., owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional use of Coralux—re Coralux Floor and Ceiling Construction (gypsum plaster); previously approved.

681-53-SA

APPLICANT—Speed Queen Corporation, owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models of gas-fired clothes dryers, Models 130, 131, 132 and 133—re Speed Queens Clothes Dryer (gas-fired) Models DG11 and DG12; previously approved.

489-54-SA

APPLICANT—Delco Appliance Division of General Motors Corp., owner.
SUBJECT—Application reopened November 13, 1957 for amendment of resolution as to additional models of oil burners, Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc. under Petroleum, Heat & Power Co., Models D-2 and D-3—Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

495-57-A

APPLICANT—V. Della Penna for Alvin Brand, owner.
SUBJECT—Application July 1, 1957—Appeal from a decision of the Borough Superintendent, re extension of outer wall, etc.
PREMISES AFFECTED—388 East 156th Street, south side, 50 feet west of Melrose Avenue, Block 2402, Lot 20, Borough of The Bronx.

746-57-A

APPLICANT—Samuel Rosenblum, for Alma G. Roos, owner.
SUBJECT—Application October 10, 1957—Appeal from a decision of the Borough Superintendent, re egress.
PREMISES AFFECTED—147-149 West 22nd Street, north side, 249 feet, 6 inches east of 7th Avenue, Block 798, Lot 17, Borough of Manhattan.

496-57-A

APPLICANT—Harry Hurwit, for Joseph and Fannie Goldman, owners.
SUBJECT—Appeal filed June 20, 1957 from a decision of the Borough Superintendent relating to egress.
PREMISES AFFECTED—156 West 29th Street, south side, 149 feet 6 inches east of 7th Avenue, Block 804, Lot 69, Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 11, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Friday morning*, July 11, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

385-58-SR

Proposed Rule for the Interpretation of Section 19-A of the Zoning Resolution of the City of New York.
Laid over from June 27, 1958 to July 11, 1958, for further hearing and statement from the Real Estate Board of New York.

HARRIS H. MURDOCK, *Chairman.*

JULY 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, July 15, 1958 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

749-57-BZ

APPLICANT—Frederick A. Ketcher, for Louis Calder Foundation, owner (Kesbec, Inc., Lessee).
SUBJECT—Application October 21, 1957—(decision of the borough superintendent) under sections 7c, 7h, and 7i of the zoning resolution, to permit in a retail and

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residence use district, the permanent extension of the existing legal gasoline service station, and to permit the reconstruction and maintenance of the accessory building with the additional uses of lubrication, storage, car wash, office and sales and sale of used cars, minor motor vehicle repairs, and a temporary variance to permit the parking of more than five motor vehicles.

PREMISES AFFECTED—688 Gunhill Road, south side of 1365-1375 White Plains Avenue. Block bounded by Gunhill Road, White Plains Avenue, and Olinville Avenues, Block 4628, Lot 35 Borough of The Bronx.

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—(decision of the borough superintendent) under section 7h of the zoning resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed of mapped street—Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 ft. south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—(decision of the Borough Superintendent) under section 7e of the zoning resolution, to permit in a residence use district, a hair-dressing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, southeast corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio, owner; Salvatore DiLorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, sales room and office motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore Di Lorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a business use district, in an open yard presently used for the storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

PREMISES AFFECTED—195-199 Allen Street, west side, 175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning

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Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five motor for patrons cars in conjunction with a proposed department store. Ashford Street, in block 4335.
PREMISES AFFECTED—732-764 Ashford Street and 820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application May 13, 1957—(decision of the Borough Superintendent) under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a lot partly in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.

PREMISES AFFECTED—2846 Webster Avenue, east side 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.

SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.

PREMISES AFFECTED—3960-3962 Bronxwood Avenue, east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

151-58-BZ

APPLICANT—Ervin Palmer, for Herald Contracting Co., owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing building from power house to warehouse, storage and contractor's office.

PREMISES AFFECTED—33 Attorney Street, west side, 125 feet north of Grand Street, Block 346, Lot 58, Borough of Manhattan.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of offices, lubricatorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

Laid over from June 24, 1958, to July 1, 1958, for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses it contained; then to July 15, 1958, for additional information as previously requested; hearing closed.

247-54-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for David and Theodore Ain, Susie and Mario Marani and Theodore Kent Ain, owners.

SUBJECT—Application reopened March 4, 1958. As Vol. II—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the extension of the use of the existing gasoline service station located on the local retail portion of the premises by using the vacant portion in the residence use district for the parking and storage of more than five (5) motor vehicles for a term of years to coincide with the term of the variance granting the gasoline service station.

PREMISES AFFECTED—75-01 to 75-09 (75-05 official) Parsons Boulevard, and 158-02 to 158-20 75th Avenue, southeast corner, Block 6823, Lot 1, Flushing, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard,

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northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

38-55-BZ—Vol. 11

APPLICANT—Paul Friedman, for Stellar Fuel Sales Corp., owner; Bertell's Service, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h & 7i of the Zoning Resolution, to permit for a term of years expiring July 12, 1970, the erection wholly within the business use district portion of the plot, which is partly in a business use district and partly in a residence use district, a proposed extension to an existing accessory building to be used for storage of automobile accessories and supplies, in connection with the existing gasoline service station, lubritorium, non automatic auto laundry, motor vehicle testing, light repairs with hand tools within the building, and parking and storage of more than (5) motor vehicles granted by the Board under Calendar No. 38-55-BZ.

PREMISES AFFECTED—534-544 Coney Island Avenue, southwest corner of Hinckley Place, Block 5343, Lot 13, Borough of Brooklyn.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

1007-57-BZ

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein Department Store, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "C" area district, the one-story extension of a retail department store occupying more than the permitted area coverage.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed.

1008-57-A

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein's Department Store, owner.

SUBJECT—Application December 19, 1957—Appeal from a decision of the Borough Superintendent, re stairs to be enclosed, continuous and lead from street to roof, etc.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed.

410-47-BZ—Vol. II

APPLICANT—Tobias Goldstone, for Nicoletta Daechille, owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re (decision of the Borough Superintendent) under section 7e of the Zoning Resolution, to permit in a business and residence use district, at an existing motor vehicle repair shop (wheel alignment and body and fender repairs), auto laundry and open lubrication, the installation of four gasoline tanks, and four gasoline pumps on the adjoining portion acquired in 1948 and presently used for the parking of motor vehicles.

PREMISES AFFECTED—2908-2910 Nostrand Avenue, west side, 460 ft. north of Avenue P, Block 7690, Lots 79 and 80, Borough of Brooklyn.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; applicant to submit additional plan showing existing gate to public playground and the distance to proposed curb cut of proposed gasoline station; also to correct filed plans showing proposed conditions.

854-56-BZ

APPLICANT—Nathaniel C. Saxe, for Demitrios Dorizas, owner.

SUBJECT—Application December 11, 1956—(decision of the borough superintendent) under Section 7e of the Zoning Resolution, to permit in a residence use district, the conversion of the present living room to a beauty parlor in the existing three (3) story and basement frame structure.

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PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

855-56-A

APPLICANT—Nathaniel C. Saxe, for Demetrios Dorizas, owner.

SUBJECT—Application December 11, 1956—Appeal from a decision of the Borough Superintendent, re frame building, business use.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

312-57-BZ

APPLICANT—Louis Lieberman, for F. and R. Realty Corp., owner.

SUBJECT—Application April 17, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the continuance of an existing illuminating business sign, two (2) feet high and forty (40) feet wide on the existing two-story structure.

PREMISES AFFECTED—94-00 Ditmars Boulevard, 22-01 to 22-73 94th Street, southeast corner, 22-02 to 22-50 and 22-62 to 22-70 95th Street and 94-01 to 94-21 23rd Avenue, Block 1071, Lots 1, 25, 27, 29, 31 and 37, Jackson Heights, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958 for inspection and decision, hearing closed; then to July 15, 1958, for further inspection and decision.

140-58-BZ

APPLICANT—Haus and Bresin, for The Cord Meyer Co., owner.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of auto washing—non automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—93-24 Roosevelt Avenue and 40-02 to 40-10 94th Street, southwest corner, Block 1562, Lot 25, Elmhurst, Borough of Queens.

Laid over from June 17, 1958, to July 1, 1958, for inspection and decision; hearing closed; then to July 15, 1958, for further inspection and decision.

172-16-BZ—Vol. II

APPLICANT—Herman Kron, for Banner Oil Company, Inc., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II re (decision of the Borough Superintendent) under sections 7c and 7h of the zoning resolution to permit in a business and residence use district, the reconstruction of an existing gasoline service station, minor auto repairs with hand tools only, auto laundry, garage for more than five (5) cars and parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing garage.

PREMISES AFFECTED—31-37 Church Avenue, north side, 100 feet east of Chester Avenue, Block 5313, Lots 34 and 38, Borough of Brooklyn.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed; then to July 15, 1958, for further inspection and decision.

HARRIS H. MURDOCK, *Chairman.*

JULY 15, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon*, July 15, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

240-52-SM

APPLICANT—Harold N. Ipsen, for Ipsen Industries, Inc., owner. Gerald B. Duff & Company, Agent.

SUBJECT—Application April 4, 1952—Ipsen Automatic Heat Treating Unit, Gas or Electric, Model T, approval of.

365-52-SM

APPLICANT—United States Plywood Corp., owner James A. Fitzpatrick, Agent.

SUBJECT—Application May 16, 1952—United States Plywood Corp., Weldwood Metal Veneer Panel (exterior metal veneer panel), approval of.

921-53-SA

APPLICANT—National Heater Company, owner. E. M. Tarnoff, agent.

SUBJECT—Application December 23, 1953—National Champion Gas Fuel Warm Air Heating Units, Models TD-20, 25, 30, 40, 50, 75, 100, 125, 175 and 200 (suspended type), approval of.

922-53-SA

APPLICANT—National Heater Company owner. E. M. Tarnoff, agent.

SUBJECT—Application December 23, 1953—National Champion Gas-Fired Warm Air Heaters, Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type) approval of.

923-53-SA

APPLICANT—National Heater Company, owner. E. M. Tarnoff, agent.

SUBJECT—Application December 23, 1953—National Champion Oil-Fired Warm Air Furnaces, Models TD-20, 25, 30, 40, 50, 80, 100, 125, 150, 175 and 200 (suspended type), approval of.

926-53-SA

APPLICANT—National Heater Company, Owner. E. M. Tarnoff, agent.

SUBJECT—Application December 23, 1953—National Champion Oil Fired Warm Air Furnace, Model TD-20, 30, 40, 50, 70, 80, 100, 125, 150, 175, and 200 (floor type), approval of.

351-55-SM

APPLICANT—American Air Filter Company, owner.

SUBJECT—Application May 2, 1955—American Air Filter Co., Grease Filter Types AC, HV, and Range Hood, (all metal unit for condensing greasy vapors), approval of.

353-55-SM

APPLICANT—B. Bartholomaeus & Associates, owner.

SUBJECT—Application May 2, 1955—Airsan Grease Filters and Filter Assembly, Types G, AG, GC and GW, approval of.

770-55-SA

APPLICANT—B. S. Tool Co. for Mid-Continent Metal Products Co., owner.

SUBJECT—Application September 13, 1955—Mideo Direct Fired Air Heaters, Models 22, 30 and 36, approval of.

885-56-SM

APPLICANT—Dualheat, Inc., owner. A. A. Arvintz, Agent.

SUBJECT—Application December 19, 1956—DualHeat Paint Heater Model 125, approval of.

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- 41-57-SA**
 APPLICANT—Orr & Sembower, Inc., manufacturer. V. N. DeCerchio, Agent.
 SUBJECT—Application October 25, 1956—Power-Pak Packaged Steam or Hot Water Generator, Gas-fired, Model 2, approval of.
- 42-57-SA**
 APPLICANT—Orr & Sembower, Inc., manufacturer. V. N. DeCerchio, Agent.
 SUBJECT—Application October 25, 1956—Power-Pak Package Steam or Hot Water Generator (oil fired), Model 2, approval of.
- 261-57-SA**
 APPLICANT—Dunkirk Radiator Corporation, owner.
 SUBJECT—Application March 21, 1957—Blue Circle Gas-fired Boiler, Models DW4, DW6 and DW8, approval of.
- 273-57-SA**
 APPLICANT—McGraw-Edison Company, Clark Division, owner. Ralph M. Cohen, Agent.
 SUBJECT—Application March 25, 1957—Toastermaster and Tropic-Aire Gas-fired Water Heaters, approval of.
- 301-57-SA**
 APPLICANT—McGraw-Edison Company, Clark Division, owner. Ralph M. Cohen, Agent.
 SUBJECT—Application March 27, 1957—Toastermaster and Tropic-Aire Automatic Electric Water Heaters, approval of.
- 412-57-SM**
 APPLICANT—The National Screw & Manufacturing Company, owner.
 SUBJECT—Application May 14, 1957—National Screw & Manufacturing Company High Strength Structural Bolts, approval of.
- 421-57-SM**
 APPLICANT—R. J. Crinnion for Parkchester Glass Company, owner.
 SUBJECT—Application March 25, 1957—Parkline Window 3/4-Hour test, approval of.
- 483-57-SA**
 APPLICANT—Eureka Williams Corporation, owner.
 SUBJECT—Application June 5, 1957—Eureka Williams Oil-O-Matic Furnaces, Models LHO-84 and LHO-84B, approval of.
- 488-57-SA**
 APPLICANT—Eureka Williams Corporation, owner.
 SUBJECT—Application June 19, 1957—Williams Oil-O-Matic Low Pressure Oil Burner, Models K-4.5 and K-7, approval of.
- 504-57-SA**
 APPLICANT—Eureka Williams Corporation, owner.
 SUBJECT—Application June 6, 1957—Eureka Williams Gas-O-Matic Furnace, Models LHG-105, LHG-105B, approval of.
- 623-57-SM**
 APPLICANT—Fimble Sales Company, for Straits Products, Inc., owner.
 SUBJECT—Application June 17, 1957—Straits Accordion Doors, approval of.
- 681-57-SM**
 APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.
 SUBJECT—Application August 14, 1957—Tectum Slabs Non-bearing Partition, approval of.
- 682-57-SM**
 APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.
 SUBJECT—Application August 14, 1957—Tectum Slab 2 inch or more in thickness, incombustible non-bearing subdividing partition, approval of.
- 683-57-SM**
 APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.
 SUBJECT—Application August 14, 1957—Tectum Slab 2 1/2 inch Minimum Thickness, composite panel, spandrel and apron wall, approval of.
- 859-57-SA**
 APPLICANT—American LaFrance Corporation, owner.
 SUBJECT—Application November 21, 1957—American LaFrance Dry Chemical Fire Extinguishers, approval of.
- 893-57-SA**
 APPLICANT—All-Boro Gas Company, Inc., from Grimm Manufacturing Co., owner.
 SUBJECT—Application November 1, 1957—Redi-Heater Gas-fired, Model M70, approval of.
- 1021-57-SA**
 APPLICANT—Precision Heat Treating Company, for Ipsen Industries, Inc., owner.
 SUBJECT—Application December 23, 1957—Endothermic Generator, Models: G250-E, G500-E and G, G600-E and G and G750-E and G, G1250-E and G, G1500-E and G, G2500-E and G and G3000-E and G, approval of.
- 197-58-SA**
 APPLICANT—Clayton Manufacturing Company, owner. Orco Oil Burner, Agent.
 SUBJECT—Application March 5, 1958—Clayton Steam Generator, Models WHO-50, 52-212, 75 and 100 (oil-fired), approval of.
- 75-58-SA**
 APPLICANT—Martin Stamping & Stove Company, owner. Irving Entin & Associates, Agent.
 SUBJECT—Application February 11, 1958—Martin Unvented Gas-fired Room Heaters, Models C-418, C-430, C-440, 552, 528, 535, 422, 428, 435, 1205, 1206, 1116, 1120 and Martin Vented Gas-Fired Heaters, Models V835, V859, V870, V935, V945, V965, V985, V715 and V720, approval of.
- 739-50-SM—Vol. II**
 APPLICANT—Harold Perrine, for Johns-Manville Sales Corp., owner.
 SUBJECT—Application reopened May 21, 1957 for Johns-Manville Fibertone, Fire Retardant Finish—re Johns-Manville Fibertone Flame Retardant Finish Acoustical Treatment; previously dismissed.
- 121-35-SA**
 APPLICANT—Iron Fireman Manufacturing Company, new owner.
 SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models OFS-85, OBN-100 and OBN-175 and change of company name—re Timken Silent Automatic Water Heater, Model 40-A and 50-B; previously approved.
- 175-49-SM**
 APPLICANT—United States Plywood Corporation, owner.
 SUBJECT—Application reopened March 19, 1957 for amendment of resolution as to incombustible rating of partition—re U. S. Plywood Partition Panel, 1 3/4 inch thick with Kaylo Core and 1 inch thick with Kaylor Core; previously approved.

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148-50-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to change of edge of board and marking—re Gold Bond Insulation Roof Boards; previously approved.

373-50-SA—Vol. II

APPLICANT—Airco Equipment Mfg., Division, Air Reduction Company., owner.
SUBJECT—Application reopened June 2, 1953 for amendment of resolution as to additional models of torches—re Air Reduction Co., Inc. Welding and hearing torches with cutting attachment, Models 700 Series and 800 Series; previously approved.

500-50-SA

APPLICANT—Bryant Heater Division of Affiliated Gas Eq., Inc., owner.
SUBJECT—Application reopened July 2, 1957 for amendment of resolution as to additional models of gas fired equipment, Model 328—re Crane Gas-fired Unit Heaters, Models 75-329, 95-329, 125-329, 160-329, 225-329, CR75-327, CR50-327, CR100-327, CR125-327, CR200-327 and CR225-327; previously approved.

556-50-SM

APPLICANT—United States Gypsum Company, owner-manufacturer.
SUBJECT—Application reopened November 29, 1955 for new and additional construction methods and materials—re USG trussteel Studs; previously approved.

518-51-SA

APPLICANT—The Thermodyne Corp., for Carrier Corporation, owner.
SUBJECT—Application reopened February 28, 1956 for amendment to consider additional models 50-N and 41-D—re Carrier weathermaker, Models 50K4, 50K6, 50K8, 50K12 and 50K16; previously approved.

143-54-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened September 24, 1957 for amendment of resolution as to bolt throw—re Weldwood $\frac{3}{4}$ -Hour Door and 1-Hour Fire Resistive Opening Protective Assembly; previously approved.

733-54-SA

APPLICANT—Pantex Manufacturing Corporation, owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional sizes of dry cleaning equipment—re Pantex Perk-O-Matic Dry Cleaning Machine, Model EC (using non-flammable solvent); previously approved.

734-54-SM

APPLICANT—Seelye, Stevenson, Valve and Knecht, for Granco Steel Products Company, owner.
SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional gauges of Corruform and Tufcor—re Corruform and Tufcor Steel Deck fire resistive roof for industrial construction; previously approved.

700-57-SA

APPLICANT—General Fittings Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade names Way-Wolff Associates, Ray Burner Sales—re General Fittings Electric Oil Immersion Heater, Models WTSB-1, WTSB-2, WTSB3, to be marketed as Preferred Electric Oil Immersion Heater, Models SS-1, SS-2 and SS-3; previously approved.

361-22-A—Vol. II

APPLICANT—Brooklyn Borough Gas Company, owner.
SUBJECT—Application reopened May 20, 1958 as Vol. II—Appeal from orders and a decision of the Fire Commissioner, re foam extinguishing system.
PREMISES AFFECTED—873 Neptune Avenue, north side, 146.90 feet east of West 12th Street, Block 7247, Lots 22, 100, 106, 114, 122, 265 and 320, Borough of Brooklyn.

261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.
SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re signs, in vicinity of United Nations Headquarters.
PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

296-57-A

APPLICANT—George J. Steigerwald, owner.
SUBJECT—Application April 15, 1957—Appeal from an order of the fire commissioner, re use of premises as storage garage.
PREMISES AFFECTED—21-23 Coenties Slip, west side, 30 ft. south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.
SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.
PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

914-52-A—Vol. II

APPLICANT—Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.
SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re enclosed stairways.
PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of The Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner.
SUBJECT—Application reopened December 17, 1957 as Vol. II—appeal from a decision of the Borough Superintendent—re: change in egress.
PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

475-55-A—Vol. II

APPLICANT—Harry A. Yarish, for Mar-Rin Realty Corp., owner.
SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re Class III construction increase in height—increase in number of beds, Nursing Home.
PREMISES AFFECTED—953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

369-58-A

APPLICANT—Leo M. Zamory, for Our Lady of Mercy Church.
SUBJECT—Application June 11, 1958—Appeal from a de-

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cision of the Borough Superintendent, re frame building, public use, live load, stairways.

PREMISES AFFECTED—2493 Marion Avenue, west side, 172.32 feet, north of East 188th Street, Block 3023, Lot 54, Borough of Bronx.

HARRIS H. MURDOCK, *Chairman*

JULY 22, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, July 22, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.

SUBJECT—Application November 21, 1956—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor

repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner, Block 4079, Lots 35, 36 and 37, Borough of The Bronx.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) South of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 5 construction less than 4 feet from Lot line.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.

PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.

PREMISES AFFECTED—1412 Bay Ridge Avenue south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

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236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.
SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic laundry and parking of cars awaiting service.

PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green, for Merry Twins, Inc., owner.

SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

938-57-BZ

APPLICANT—Leonard F. Rothkrug, for Bel-Harb Corporation, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, an increase in the number of apartments in an existing five story multiple dwelling from 38 to 43, the additional apartments are to be part of the basement reconstruction.

PREMISES AFFECTED—123-11 Rockaway Beach, Boulevard, southeast corner of Beach 124th Street, Block 763, Lot 1, Belle Harbor, Borough of Queens.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.

SUBJECT—Application reopened February 11, 1958, as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the open garage for more than five (5) motor vehicles into the adjoining lot.

PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. III

—decision of the Borough Superintendent, under sections 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner, Block 5750, Lot 42, Borough of Brooklyn.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for the manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 201.98 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for park-

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ing of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

PREMISES AFFECTED—57 Park Avenue, eastside 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

963-57-BZ—VOL. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirrillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution to permit in a residence use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co. Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re curb cuts located in the bed of a mapped street-proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

116-33-BZ

APPLICANT—Joseph Lau, for Lurose Realty Corp., United States Trucking Corp., lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired March 2, 1958—decision of the Borough Superintendent,

under sections 7e and 21 of the Zoning Resolution, to permit in a business use district, the extension of an existing garage for more than five (5) motor vehicles—pleasure type and fifteen (15) trucks in the ownership and control of the owner—granted by the Board under Cal. 30-430-BZ resolution amended to include storage of more than five trucks by a trucking concern for a term of five (5) years.

PREMISES AFFECTED—50-56 Downing Street and 214-218 West Houston Street, north side, 159 feet 6¾ inches east of Varick Street, Block 528, Lots 13, 28, 29, 30 and 31, Borough of Manhattan.

5-58-BZ

APPLICANT—Patrick D. Concagh, for Saverio S. Piscane, owner.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) cars on a vacant plot of land.

PREMISES AFFECTED—717-719 East 217th Street, north side, 130.35 feet east of White Plains Road, Block 4665, Lots 40 and 43, Borough of The Bronx.

Laid over from July 1, 1958 to July 22, 1958, for inspection and decision; hearing closed.

126-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Celia Katz, owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a four story building with basement and cellar, the change in use of the basement from doctor's office and apartment to dressmaking and sales and the change in use of the first floor from two apartments to Photo Studio and Beauty Salon and the upper floors to retain their use as apartments.

PREMISES AFFECTED—38 East 63rd Street, south side, 182 feet east of Madison Avenue, Block 1377, Lot 45, Borough of Manhattan.

Laid over from July 1, 1958 to July 22, 1958, for inspection and decision; hearing closed.

999-57-BZ

APPLICANT—Elias K. Herzog, for William W. Brill, et al., owners. Muriel S. Kessler and Rose H. Yarmark, partners.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises, after demolition of the existing tenement building, for the parking and storage of more than five (5) motor vehicles for a stated term of ten (10) years.)

PREMISES AFFECTED—136 Sullivan Street, north side, 75 feet west of Prince Street and 197 Prince Street, west side, 100 feet north of Sullivan Street, Block 518, Lots 41 and 46, Borough of Manhattan.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision; hearing closed.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michelena De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559

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Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

JULY 22, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon*, July 22, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

761-57-A

APPLICANT—Sidney Daub, for Broadway Pastry Shop, Inc., owner.

SUBJECT—Application October 24, 1957—Appeal from a decision of the Borough Superintendent, re egress, factory building.

PREMISES AFFECTED—252-254 West 28th Street, south side, 155 feet, 6 inches east of 8th Avenue, 2nd floor; Block 777, Lot 72, Borough of Manhattan.

304-58-A

APPLICANT—Paul Trapani, for Florence Trapani, owner.
SUBJECT—Application May 16, 1958—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Sections 171(1) and 172(2) and Section 172(3), re Bulk and volume, yard area, etc.

PREMISES AFFECTED—636-644 Burke Avenue, southwest corner of Barker Avenue, 1st floor, Block 4543, Lot 26, Borough of The Bronx.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

355-58-A

APPLICANT—Albert B. Bauer, for Department of Public Works, City of New York, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re exits, wood shelves, etc.

PREMISES AFFECTED—112-114 East 96th Street, south side, 165 feet west of Lexington Avenue, Block 1524, Lot 64, Borough of Manhattan.

87-58-A

APPLICANT—Donald J. Colasono, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue Block 5379, Lots 4, 6 and 7,, Flushing, Borough of Queens.

685-48-A—Vol. III

APPLICANT—Francis Seaman for Surface Transit, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III Appeal from a decision of the Borough Superintendent re: relocation of fuel oil pump, dispensing panels and installation of four additional diesel oil dispensing pumps in basement.

PREMISES AFFECTED—4065-4079 10th Avenue, southeast corner, 218th Street West, Block 2213, Lot 6, Borough of Manhattan.

221-55-A—Vol. III

APPLICANT—Charles L. Koester for Joseph Casa, owner.
SUBJECT—Application reopened June 17, 1958 as Vol. III —Appeal from a decision of the Borough Superintendent re: change of a one family dwelling to a two family dwelling.

PREMISES AFFECTED—84-20 267th Street, southwest corner of East Williston Avenue, Block 8811, Lot 25, Floral Park, Borough of Queens.

313-57-A

APPLICANT—Addie Vallins, Inc., owner.

SUBJECT—Application April 17, 1957—Appeal from an order and a decision of the Borough Superintendent, re interior fire alarm system.

PREMISES AFFECTED—40 West 170th Street, northwest corner of Cromwell Avenue, Block 2871, Lot 94, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

965-57-A

APPLICANT—Hetkin, Jervis and Hetkin, for Golf House, Inc., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction—public use.

PREMISES AFFECTED—40 East 38th Street, south side, 80 feet west of Park Avenue, Block 867, Lot 43, Borough of Manhattan.

122-53-A—Vol. II

APPLICANT—Abraham Grossman for Benjamin Gordon, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II —Appeal from a decision of the Borough Superintendent re: lawful means of egress and provision of lawful stair enclosure.

PREMISES AFFECTED—821-823 Broadway and 51 East 12th Street, northwest corner, Block 564, Lot 22, Borough of Manhattan.

340-58-A

APPLICANT—Merrill and Holmgren, architects for Brighton Heights Reformed Church.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re frame structure—stair enclosure.

PREMISES AFFECTED—322 St. Marks Place, southwest corner of Fort Place, Block 16, Lot 68, St. George, Borough of Richmond.

366-58-A

APPLICANT—Ross & Atkin, for Alexanders' Department Store, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re removal of fire wall.

PREMISES AFFECTED—2948-2954 and 2962-64 Third

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Avenue, east side, 50.32 feet south of East 153rd Street and 635-655 Bergen Avenue, Block 2362, Lots 44, 69 and 70, Borough of Bronx.

375-58-A

APPLICANT—Shreve, Lamb & Harmon Associates, for Bankers Trust Company, owner.

SUBJECT—Application June 13, 1958—Appeal from a decision of the Borough Superintendent, re: width of stairways inadequate for number of persons.

PREMISES AFFECTED—10-16 Wall Street, 1-9 Nassau Street, northwest corner and 7-11 Pine Street, Block 46, Lot 9, Borough of Manhattan.

402-58-A

APPLICANT—S. Walter Katx, for Steval Realty Corp., owner.

SUBJECT—Application July 2, 1958—filed pursuant to Section 35, General City Law re alteration and extension of building located in bed of a mapped street—proposed widening of 2nd Avenue.

PREMISES AFFECTED—1085 2nd Avenue, west side, 20 feet, 5 inches north of East 57th Street, Block 1331, Lot 22, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

A public hearing was held on the following application at the regular meeting of June 24, 1958 at 2 P. M., at which time the application was acted upon by the Board. The resolution is printed below.

1016-39-SM—Vol. III

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application reopened July 2, 1957 for amendment of resolution as to use of fiber board sheathing without let-in braces—re Gold Bond Acoustamatic Tile, Gold Bond Insulation Tile and Gold Bond Insulation Plank; previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Resolution reopened and amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent. Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 1016-39-SM Vol. III.

Subject: Amendment of resolution as to use of fiber board sheathing without let-in braces.

National Gypsum Company, Buffalo, New York requested by letter dated February 28, 1958 that the resolution adopted January 23, 1940 and amended at various times through July 2, 1957 under Cal. No. 1016-39-SM Vol. III so as to include the use of sheathing without a let-in brace.

Purpose

The material is to be used as exterior sheathing on Class IV construction.

Description

The material is basically the same as that approved July 2, 1957 except that the asphalt impregnated sheathing, ½ inch in thickness is uncoated.

Inspection and Test

The material was subjected to a racking test. The panels were tested in an unbraced position. The nailing of the sheathing to the joists was by means of 1½ inch galvanized roofing nails spaced 3 inches on centers along all joints and the perimeter, not less than ¾ inches from board edge and 6 inches on centers along all intermediate framing; nailing by staples was also tested, with same spacing as nails met the requirements. Both panels successfully met the requirements at 6000 lb. thrust.

Recommendation

The Committee on Test recommends that the resolution adopted January 23, 1940 and amended at various times through July 2, 1957 under Cal. No. 1016-39-SM Vols. I, II

and III be reopened and amended so as to include the material known as Gold Bond Brace-Wall "N" Sheathing for use in New York City as an exterior fiber board sheathing on Class IV Buildings and further that this material may be used without let-in corner braces. The attachment to the framing shall be either by means of 1½ inch galvanized roofing nails or 1⅝ inch HD9DC Spotnail Staples. All nailing shall comply with the requirements of the resolution adopted July 2, 1957 under Cal. No. 1016-39-SM Vol. III.

The Committee further recommends the approval of this material for use as a direct nailing base for exterior siding material provided that aluminum wire nails made from 0.099 in diameter wire with the 20 sharp double rings per inch measuring 0.114 inches outside diameter, having a smooth needle point about ⅛ inches long and an overall length of 1¼ inches.

The Committee further recommends that the Gold Bond Insulating Tile, previously approved may be marketed under the additional trade name of Gold Bond Decor Tile on condition that the requirements of the resolution adopted January 23, 1940 and as amended at various times through July 2, 1957 under Cal. No. 1016-39-SM Vol. I, II and III be complied with

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of January 23, 1940 through July 2, 1957 in accordance with the above report.

REGULAR MEETING

TUESDAY MORNING, JULY 1, 1958, 10 A. M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, June 17, 1958, were approved as printed in the Bulletin of June 24, 1958, Vol. 43, No. 25.

172-16-BZ—Vol. II

APPLICANT—Herman Kron, for Banner Oil Company, Inc., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re (decision of the Borough Superintendent) under sections 7c and 7h of the Zoning Resolution to permit in a business and residence use district, the reconstruction of an existing gasoline service station, minor auto repairs with hand tools only, auto laundry, garage for more than

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five (5) cars and parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing garage.

PREMISES AFFECTED—31-37 Church Avenue, north side, 100 feet east of Chester Avenue, Block 5313, Lots 34 and 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for further inspection and decision; hearing previously closed.

410-47-BZ—Vol. II

APPLICANT—Tobias Goldstone, for Nicoletta Daechille, owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, at an existing motor vehicle repair shop (wheel alignment and body and fender repairs), auto laundry and open lubrication, the installation of four gasoline tanks, and four gasoline pumps on the adjoining portion acquired in 1948 and presently used for the parking of motor vehicles.

PREMISES AFFECTED—2908-2910 Nostrand Avenue, west side, 460 feet north of Avenue P, Block 7690, Lots 79 and 80, Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and John Molfetto.

For Opposition: David C. Candiotti, Hyman Cohen, Emma Reidel, Helen Lemonedis, Shirley Kessel, Dorothy Lash, Kay Gritzer, Irma Waxman, Clara Levy, Evelyn Rinzler Florence Levin, Joseph S. Trapani and Phylis Zone.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed; applicant to submit additional plan showing existing gate to public playground and the distance to proposed curb cut of proposed gasoline station; also to correct filed plans showing proposed conditions.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and auto simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32. Borough of Brooklyn.

APPEARANCES—

For Applicant: Dominick Schirripa, and Carl Turk.

For Opposition: Rose Montana, Charles Noto, S. Buccellato, N. Acquista, F. Grippo and C. Drago.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Joseph Incorvaia, Lena Incorvaia and Margaret Dunn.

ACTION OF BOARD—Laid over to September 17, 1958, at 10 A. M. at the request of the applicant to confer with objectors and for inspection and decision; hearing previously closed.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northeast corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Raphael H. Weisman and Sam Rubin.

ACTION OF BOARD—Laid over to September 9, 1958, at 10 A.M. for new hearing; applicant to send notices by regular mail.

247-54-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for David and Theodore Ain, Susie and Mario Marani and Theodore Kent Ain, owners.

SUBJECT—Application reopened March 4, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the extension of the use of the existing gasoline service station located on the local retail portion of the premises, by using the vacant portion in the residence use district for the parking and storage of more than (5) motor vehicles for a term of years to coincide with the term of the variance granting the gasoline service station.

PREMISES AFFECTED—75-01 to 75-09 (75-05 official) Parsons Boulevard, and 158-02 to 158-20 75th Avenue, southeast corner, Block 6823, Lot 1, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Alfred Bristol and Betty Louise Felton.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

38-55-BZ—Vol. II

APPLICANT—Paul Friedman, for Stellar Fuel Sales Corp., owner; Bertell's Service, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit for a term of years expiring July 12, 1970, the erection wholly within the business use district portion of the plot, which is partly in a business use district and partly in a residence use district, a proposed extension to an existing accessory building to be used for storage of automobile accessories and supplies, in connection with the existing gasoline service station, lubritorium, non automatic auto laundry, motor vehicle testing, light repairs with hand tools within the building, and parking and storage of more than five (5) motor vehicles granted by the Board under Calendar No. 38-55-BZ.

PREMISES AFFECTED—534-544 Coney Island Avenue, southwest corner of Hinckley Place, Block 5343, Lot 13, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Bertha Istarke, Lucy Conforti and Edward Bove.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

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854-56-BZ

APPLICANT—Nathaniel C. Saxe, for Demitrios Dorizas, owner.

SUBJECT—Application December 11, 1956—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the conversion of the present living room to a beauty parlor in the existing three (3) story and basement frame structure.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Nathaniel C. Saxe and Demitrios Dorizas.
For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

855-56-A

APPLICANT—Nathaniel C. Saxe, for Demetrios Dorizas, owner.

SUBJECT—Application December 11, 1956—Appeal from a decision of the Borough Superintendent, re frame bldg., business use.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Nathaniel C. Saxe and Demitrios Dorizas.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

312-57-BZ

APPLICANT—Louis Lieberman, for F. and R. Realty Corp., owner.

SUBJECT—Application April 17, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the continuance of an existing illuminating business sign, two (2) feet high and forty (40) feet wide on the existing two-story structure.

PREMISES AFFECTED—94-00 Ditmars Boulevard, 22-01 to 22-73 94th Street, southeast corner, 22-02 to 22-50 and 22-62 to 22-70 95th Street and 94-01 to 94-21 23rd Avenue, Block 1071, Lots 1, 25, 27, 29, 31 and 37, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Louis Lieberman.

For Opposition: Edward Fleege and Samuel Bodian for Park Dept.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for further inspection and decision; hearing previously closed.

622-57-BZ

APPLICANT—Sidney H. Kitzler and Morris Hannes, for Beth Shalom of Kings Bay, owner.

SUBJECT—Application September 11, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the enlargement of the first floor and the erection of a second floor to an existing one-story synagogue that will occupy more than the permitted area coverage.

PREMISES AFFECTED—2702-2710 Avenue X and 2401-2411 East 27th Street, southeast corner, Block 7422, Lot 801, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler, and Morris Hannes.
For Opposition: None.

ACTION OF BOARD—Laid over to July 8, 1958, at 10 A.M. for statement from applicant as to definite use of proposed premises; hearing previously closed.

931-57-BZ

APPLICANT—Albert Melniker, for The California Oil Co., owner; Isle Fuel Oil Service Co., lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking of more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—535 Vanderbilt Avenue and 1047 Van Duzer Street, northeast corner, Block 650, Lot 28, Concord, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker and Emanuel Losquandro.
For Opposition: None.

ACTION OF BOARD—Laid over for inspection and decision; date of decision to be determined; hearing closed.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Segal, Hermann Rogge, Harvey Oleck and Maury Oleck.

For Opposition: John T. Redmond, Charles A. Heeg, Andrew J. Reiff and Charles J. Pecoraro.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Segal, Maury Oleck, Harvey Oleck and Herman Rogge.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

999-57-BZ

APPLICANT—Elias K. Herzog, for William W. Brill, et al., owners, Muriel S. Kessler and Rose H. Yarmark, partners.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises, after demolition of the existing tenement building, for the parking and storage of more than five (5) motor vehicles for a stated term of ten (10) years.

PREMISES AFFECTED—136 Sullivan Street, north side, 75 feet west of Prince Street and 197 Prince Street, west

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side, 100 feet north of Sullivan Street, Block 518, Lots 41 and 46, Borough of Manhattan.

APPEARANCES—

For Applicant: Elias K. Herzog.

For Opposition: Father Desmas and Martin Herzog.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for inspection and decision; hearing closed.

1007-57-BZ

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein Department Store, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "C" area district, the one-story extension of a retail department store occupying more than the permitted area coverage.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Samuel Gardstein.

For Opposition: Joseph Chester and Solomon Chester.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

1008-57-A

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein's Department Store, owner.

SUBJECT—Application December 19, 1957—Appeal from a decision of the Borough Superintendent, re stairs to be enclosed, continuous and lead from street to roof, etc.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Samuel Gardstein.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

5-58-BZ

APPLICANT—Patrick D. Concagh, for Saverio S. Pisacane, owner.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) cars on a vacant plot of land.

PREMISES AFFECTED—717-719 East 217th Street, north side, 130.35 feet east of White Plains Road, Block 4665, Lots 40 and 43, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick D. Concagh.

For Opposition: None.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for inspection and decision; hearing closed.

10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard,

northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Berman, John Zengel, Salvatore Congemi and Frank Zwelsky.

For Opposition: Nicholas Russo, Paul Marlinucci, Giacomina Desimine, Max J. Kobbe, Mrs. J. Goll, T. Martinucci and George Scherer.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michelena De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: Ribello Ciofalo, Joseph C. Di Carlo, Mary Ciofalo, Mary T. Maccarrow, Maria Rovello, Teresa Sicherman, Erhard Witt, Emil Koch, Dora Sicherman, Yolanda Gross, Josephine Vuolo, Eugene Gross, William Betke, Louis Rovello, Anthony Sanzo, Yolanda La Monica, Lily Sonnenberg and John Milewicz.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for inspection and decision; hearing closed.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 20th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

126-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Celia Katz, owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a four story building with basement and cellar, the change in use of the basement from doctor's office and apartment to dressmaking and sales and the change in use of the first floor from two apartments to Photo Studio and Beauty Salon and the upper floors to retain their use as apartments.

PREMISES AFFECTED—38 East 63rd Street, south side 182 feet east of Madison Avenue, Block 1377, Lot 45, Borough of Manhattan.

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APPEARANCES—

For Applicant: Alfred A. Lama, Irving Katz and Gerald Katz.

For Opposition: Monroe Goldwater, Max Chopinick, Theodore M. Greenberg, James J. O'Connell, Ben Grauer, Ralph W. Guyed, Vevan J. Alessandroni, Cyril R. Davidson and George Schaeffer.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for inspection and decision; hearing closed.

140-58-BZ

APPLICANT—Haus and Bresin, for The Cord Meyer Co., owner.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of auto washing—non automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—9324 Roosevelt Avenue and 40-02 to 40-10 94th Street, southwest corner, Block 1562, Lot 25, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for further inspection and decision; hearing previously closed.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of office, lubritorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A.M. for additional information as previously requested; hearing previously closed.

1017-57-A

APPLICANT—Albert Melniker, for Samuel Jaeger, owner; Staten Island Oil Co., lessee.

SUBJECT—Application December 27, 1957—filed pursuant to section 35, General City Law re building partially in bed of a mapped street—proposed widening of Amboy Road.

PREMISES AFFECTED—3952 Amboy Road and 2 Hillside Terrace, southwest corner, Block 5142, Lot 22, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated December 24, 1957 on Alt. Applic. 26/57 reads:

"4. Note that part frame building with brick front and gas tanks are in bed of a mapped street contrary

to Art. 3 Sect. 35 General City Law and must be referred to the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 2 stories, 20 feet in height, 78 feet 9 inches front by 44 feet in depth, of class 4 construction located on lot 100 feet front by 178 feet in depth, erected prior to 1898, in a retail and residence use D and E area, class 1 and class $\frac{3}{4}$ height district, and used and occupied since prior to 1925: Cellar—ordinary use; 1st floor—food market, 40 persons, gasoline station and office, 2 persons, part vacant land and garages for 10 cars; 2nd floor—dwelling, 1 family; that the building is proposed to be increased in area on the 1st floor to 95 feet 9 inches front by 47 feet in depth, class 3 and 4 construction; that the premises will be used and occupied as follows: Cellar—ordinary use; 1st floor—food market, 40 persons, gasoline station and office, 2 persons; lubritorium, 2 persons and garage for 4 cars; 2nd floor—1 family dwelling; that the building is provided with one 3 inch wide interior wood stairs enclosed in one hour partitions equipped with wood doors which are not self-closing; that stairhall leads direct to street; and

WHEREAS, Certificate of Occupancy #3139/42 was issued January 15, 1952 against B. N. Applic. 83/40 permits the following use and occupancy; 1st floor—retail food market, gasoline service station and accessory store; 2nd floor—1 family; and states that the gasoline service station was established prior to June 12, 1925; that the premises were located in a business use district; and

WHEREAS, the applicant states that the existing building was erected prior to 1898; that under Calendar Number 648-20-BZ, Volume I, the Board granted a variance for the erection of a frame garage for more than 5 motor vehicles; and

WHEREAS, Certificate of Occupancy #3139 was issued January 15, 1942, providing for the use of the building as a retail food market, gasoline service station and accessory store on the 1st floor and one family dwelling on the 2nd floor; that the premises in question has an adopted widening line on Amboy Road, mapped December 30, 1918; that the existing building was in existence prior to the date of such adoption; that the street has not been physically widened; and

WHEREAS, the applicant requests that the Board legalize the existing gasoline storage tank and pump locations in the bed of a mapped street and also grant permission for the installation of two additional 550 gallon gasoline storage tanks and one dual gasoline pump makes a total of eight 550 gallon gasoline storage tanks and three dual gasoline pumps; that the tanks and pumps will be used in conjunction with the existing gasoline service station and the proposed lubritorium; and

WHEREAS, the Board has been advised by the Borough President of Staten Island under date of March 18, 1958 that there are no proceedings pending or proposed at this time for the widening or improvement of Amboy Road; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 26-57, Objection No. 4 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the continuance of existing buildings and uses as shown on plans referred to in resolution adopted this day under Cal. No. 648-20-BZ, Vol. II; that in the event the City acquires the mapped area for street widening the recompense shall be as determined by the court; and that no buildings or equipment shall be maintained on that portion of the premises as mapped to be widened; that other than as permitted by resolution adopted this day under Calendar Number 648-20-BZ—Vol II the buildings and occupancy shall comply with all laws and rules relating thereto.

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158-23-BZ—Vol. II

APPLICANT—Philip Freshman, for Empire State Warehouse Corp., owner.

SUBJECT—Application reopened March 4, 1958 Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the change in occupancy of an existing (9) nine-story building together with the adjoining eight (8) story and penthouse building and one-story garage from warehouse and garage to warehouse in the basement and first floor with accessory garage and the use of the upper floors for light manufacturing.

PREMISES AFFECTED—372-390 Gates Avenue and 390 Nostrand Avenue, southwest corner, Block 1812, Lot 42, Borough of Brooklyn.

APPEARANCES—

For Applicant: Philip Freshman.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 4, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Gates Avenue and Monroe Street are in retail and residence use, C area, class 1¼ height districts; Nostrand Avenue is in a retail use, C area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 16, 1958 acting on Alt. Applic. No. 297-57, reads:

"1. The proposed change in use from warehouse and accessory garage for more than five motor vehicles to warehouse and accessory garage for more than five motor vehicles on the 1st floor and manufacturing on the upper floors of this building located partly in a retail and partly in a residence use district is contrary to Sect. 3 and Sect. 4-A, Art. II of the Zoning Resolution."

WHEREAS, the applicant states that the premises consist of a plot, 225 feet frontage by 120 feet and 200 feet in depth; that it is proposed to convert these buildings to a tenant factory use from second floor to roof, wholly or in part, and warehouse, offices and loading platform in cellar and first floor; that the type of productivity will be that of light manufacturing and in the category of uses permitted in a business district; that the garage, which was previously granted under Cal. No. 971-23-BZ as an accessory use in connection with warehouse for the entire premises, will now be maintained as such in connection with warehouse in cellar and first floor; that at no time, either now or in the future, will this garage be used for any other purpose; and

WHEREAS, the applicant states that the corner building 125 feet by 120 feet, nine stories, was erected on or about 1905, and the adjoining building which has an interior lot 100 feet by 120 feet, eight stories and penthouse, fireproof, was erected on or about 1922, and a one story fire resistive garage building 75 feet by 80 feet was erected on or about 1923; that the interior building and garage were erected pursuant to a variation obtained from the Board under Cal. No. 1245-22-BZ, Cal. No. 158-23-BZ and Cal. No. 971-23-BZ; that Certificate of Occupancy No. 4569 was issued January 18, 1924 for warehouse use, which was superseded by Certificate of Occupancy No. 143468 based upon Alt. Applic. No. 1246-54 due to increase of number of persons on the fourth floor and for warehouse use; that the original Certificate of Occupancy for the garage is still in effect; that prior to March 17, 1953 the use designation was business and residence; and

WHEREAS, the applicant further states that these buildings were originally erected for storage warehouse for furniture and safe deposit vault for various articles of jewelry and other small items; that when built it was an outstanding structure and catered to a high class patronage; that the architectural aspect has not changed, but the character of the neighborhood has; that patronage fell off to a level that the previous owners could no longer operate profitably, and with ever growing deficits, sold the premises to the present owners; that they in turn expended considerable sums of money in removing compartments and reinforcing the building to effect its adaptability for a general storage warehouse for light merchandise, which was confined to the corner building; that the interior building was leased in its entirety, except cellar, to Frederick Loeser & Sons Department Store for the storage of furniture; that after a short tenure they went out of business and the building was rented to Stern Bros. Department Store for the same purposes; that they found the operation to their disadvantage and so vacated the premises; that the last and present tenant, Squibbs & Sons, use this building for the receiving and storage of drugs and trans-shipment of drugs; that their remaining as a tenant is uncertain due to many factors, particularly the traffic conditions; that insofar as the corner building is concerned, which is operated by the owners, traffic conditions are becoming increasingly difficult what with congestions and delays, with resulting high labor costs, and added to this the fact that demands for general storage is falling off; that the conditions and the future are quite obvious and therefore the owners feel justified in the belief that ultimately this property cannot be maintained as a warehouse project without a substantial loss in money; that many inquiries from prospective tenants for these uses were made but the owner had to decline any applications due to the legal use as now exists; that anticipating changing conditions, the owners expended the sum of \$40,000 in 1954 installing a new stairway at the southwest corner of the interior building, enclosing elevator shafts in the corner building, all in order to afford more adequate exit facilities; and

WHEREAS, the applicant contends that the area has not improved in the past two decades and in fact there has been a marked decline insofar as business, industry and residential aspects are concerned; that while it is true that at the time of purchase of the property by the present owners the present warehouse use presented itself as a profitable undertaking, due to changing conditions this business is steadily falling off, with a very slim margin of profit, and inevitably this margin will in a short space of time reach the vanishing point; that the proposed factory use will greatly benefit the area, providing factory space for light manufacturing at reasonable rentals and of a type that will not affect or annoy anybody from the viewpoint of noise, dust or odor and in addition will provide employment to a great many people living in and around the area, who as a class would welcome this opportunity for employment; that the proposed use will not in any way depress or depreciate the area and will have a stimulating effect; and

WHEREAS, the applicant states that the present owner has held title to the property since March 1944; that the assessed valuation of land is \$70,000 and of the building \$495,000 making a total of \$565,000; that the buildings were erected in 1905 and 1922; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 9, 1923, by adding thereto:

"that the building may be occupied throughout, as to the upper floors, for light manufacturing limited generally to the needle trades and other light manufacturing not requiring a special permit from the Fire Department or noisy or objectionable because of odors, excessive trucking, fire danger, or similar features, as now proposed and shown on plans filed with this application, marked 'Received January 28, 1958,' showing proposed

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conditions and plans marked 'Received January 28, 1958,' showing existing conditions, totalling 25 sheets, and plans marked 'Received May 7, 1958,' 1 sheet, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such fire-fighting equipment shall be installed as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a new Certificate of Occupancy obtained."

544-26-BZ—Vol. III

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the construction of a fifth floor and bulkhead to an existing four story and cellar building used as telephone exchange, the proposed extension to exceed the permitted height.

PREMISES AFFECTED—676-680 (680 Official) Fairview Avenue and 1928-1944 Gates Avenue, southeast corner, Block 3478, Lot 31, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Marion E. Horsburgh and Joseph B. Klein.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on January 28, 1958 subject to regular procedure, to consider extension of building; and

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Gates Avenue and Palmetto Street are in business and residence use, C area, class 1 height districts; Woodward Avenue is in a business use, C area, class 1 height district; Fairview Avenue is in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 26, 1957 acting on Alt. Applic. No. 169-57, reads:

"1. The increase in height and area of this building is contrary to 544-26-BZ, Vol. II of the Board of Standards and Appeals Resolution.

2. The extension of a business building in a residence use district is contrary to Art. II, Section 3 of the Zone Law.

3. The height of the proposed extension exceeds the allowable permitted under Art. III, Sec. 8 of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 100.07 feet frontage by 160-89 feet in depth; that it is proposed to erect a fifth story, 15.10 feet and a bulkhead 31.54 feet upon the existing building, which would make an overall height of 113.97 feet; that the proposed addition would be architecturally and structurally in keeping with the existing building; and

WHEREAS, the applicant states that The New York Telephone Company purchased these premises in three separate parcels; that on January 7, 1916 the company acquired title to the center parcel, consisting of five lots, which abuts on the easterly side of Gates Avenue for a distance of 125 feet and extends easterly for 100.07 feet; that title to the north-

erly parcel, consisting of one lot, was acquired by the company on January 28, 1916, which parcel abuts on the southerly side of Fairview Avenue for a distance of 100.07 feet and extends southerly for a distance of 10.89 feet; that on August 29, 1924 the company purchased the southerly parcel consisting of one lot, which abuts on the easterly side of Gates Avenue for a distance of 25 feet and extends easterly for 100.07 feet; that the original portion of the existing building was a three story and basement structure which the company erected in February 1917 on the parcels acquired by it in January 1916, and was located entirely within a business use district; that in order to meet the increased requirements for service in the area served by this exchange, the company erected in May 1928 a three story and basement extension on the remaining portions of the parcels acquired by it in 1916 and the parcel acquired in August 1924; that this extension was located partly in a business and partly in a residence use district and was constructed pursuant to a variation granted by the Board under Cal. No. 544-26-BZ; that in July 1951 the company constructed a fourth story addition to the existing building pursuant to a variation granted by the Board under Cal. No. 544-26-BZ, Vol. II; and

WHEREAS, the applicant states that the proposed addition is necessary because the company expects, and the basis of current estimates, that the maximum capacity of the existing building will be reached by the Summer of 1959, which is prior to the time that such an addition and equipment installations can be completed, and at that time the additional exchange capacity will be urgently needed to meet the estimated demand for service in this area; that present schedules contemplate the completion of the proposed addition by March 1959 and installation of the new central office equipment by the Fall of 1959 provided that the company is permitted to proceed with the proposed addition at an early date; and

WHEREAS, the applicant contends that as the existing building is now located partly within a business and partly within a residence use district and the proposed addition will merely increase the height of the existing building, it is submitted that the variation requested with respect to this borderline plot is largely technical for the reason that the portion of the residence district involved is already occupied for telephone exchange purposes; that with respect to Objection 3 issued by the Borough Superintendent, strict compliance therewith would not permit proper arrangement of, or sufficient space for the required central office equipment; that a further factor which makes strict compliance with the term of this Section a matter of great practical difficulty and unnecessary hardship is that the required setbacks along the Fairview Avenue side of the building would force abandonment of the existing main stairway and elevator shaft; that the setbacks requested are the maximum depths which could be provided and still permit extension of these essential facilities; and

WHEREAS, the applicant states that the present owner has held title to the property since January 1916 and August 1924; that the assessed valuation of land is \$18,800 and of the building \$5,872,000 making a total of \$5,890,000; that the building was erected February 1, 1917; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief as to height on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 15, 1926, as thereafter amended by resolutions adopted through March 7, 1950, by adding thereto:

"that under Section 21 the building may be extended in height, as proposed and shown on plans filed with

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this application, marked 'Received December 27, 1957', 29 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as previously modified by the Board in resolutions above cited; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

335-35-BZ—Vol. IV

APPLICANT—Burke, Green and Groh, for Anrob Realty Co., Inc., owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete, expired April 30, 1958—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a residence use district, the extension of the existing use of a storage warehouse (stores, plumbing fixtures, etc.), 5 car garage and loading platform.

PREMISES AFFECTED—167-01 to 167-11 108th Road, northeast corner of 167th Street, Block 10176, Lot 12, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time to obtain permits and complete the work, which had expired by time limitation April 30, 1958; and

WHEREAS, this application was reopened on May 27, 1958 and set for hearing on June 24, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; laid over to July 1, 1958, for applicant to file decision of the Borough Superintendent; and

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated June 18, 1958 acting on Alt. Applic. No. 151-56, reads:

"1. Proposed extension to existing non-conforming use previously granted by Board Cal. #335-35-BZ must be returned to the Board for review.

2. Occupancy for a storage warehouse (stores, plumbing fixtures, refrigerators), garage for 5 motor vehicles and loading platform is contrary to Art. II Sec. 3 of Zoning Resolution."

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 30, 1957 only insofar as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution." (Alt. App. 151-56.)

273-39-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Emma Ekholm and Charles Kotan, owners.

SUBJECT—Application reopened March 25, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto

repairs, car washing, storage, office and sales, and parking of cars waiting to be serviced, with curb cuts and ground sign within 75 feet of a residence use district for temporary term of fifteen (15) years.

PREMISES AFFECTED—196-45 to 196-49 (196-47 official) Northern Boulevard and 42-50 to 42-72 Francis Lewis Boulevard, northwest corner, Block 5373, Lots 18 and 22, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 25, 1958 subject to regular procedure, to consider the application under a different section of the Building Zone Resolution; and

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Northern Boulevard are in a retail use, D area, class 1 height district; Francis Lewis Boulevard and 196th Street are in retail and residence use, D area, class 1 height districts; 42nd Road is in a residence use, D area, class 1 height district; that as of July 25, 1916 the premises were in a business use district and a class C area district; that the present use designation became effective May 4, 1953 and the present area designation became effective March 24, 1955; and

WHEREAS, the decision of the Borough Superintendent, dated January 27, 1958 acting on N.B. Applic. No. 51-58, reads:

"1. The proposed erection of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales, parking of cars waiting to be serviced and ground signs on a lot in a retail district is contrary to Art. II Sec. 4A of the Zone Law.

"2. Proposed curb cut and ground sign within 75 ft. from a residence use district is contrary to Sec. 7A of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 51.39 feet frontage by 227.84 feet in depth, presently developed with a one story building of class 3 construction, having a frontage of 48 feet, a depth of 30 feet and now occupied as a restaurant; that the open area is being used for parking of more than five cars, for employees and customers; that it is proposed to demolish the present building and erect a modern gasoline service station consisting of twelve 550 gallon buried gasoline tanks and six dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, having a frontage of 60 feet, a depth of 29 feet and will contain the conjunctive uses of lubritorium, minor auto repairs, car washing, storage room, office and sales; that a part of the open space, not being used for the gas station, will be set aside for cars awaiting service; and

WHEREAS, the applicant states that the restaurant was erected under N.B. Applic. No. 204 of 1947 and Certificate of Occupancy No. 44020 was issued for restaurant and parking space for more than five cars for employees and customers of restaurant; that the site is adjoined on the west by a one story brick building now being used by the Goodyear Tire Company, which is an allied business to a gas station; that the site is also adjoined on the north with a gas station, now under construction; that with these adjoining uses and the non-conforming uses of gas station in block 6261, lot 30 and block 5522, lot 1, together with Northern Boulevard and Francis Lewis Boulevard, which

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are heavily trafficked auto lanes, proves conclusively that the proposal is within keeping at this point; that the restaurant on the site is a losing proposition and inasmuch as the land is high in assessed value, it is mandatory for these owners to develop this site in keeping with its surrounding uses; and

WHEREAS, the applicant contends that there are more than sufficient stores within the area to meet the needs of the people, so that the erection of new stores would not only be economically feasible, but would cause hardship upon present store owners who would be confronted with additional competition without the benefit of additional customers; that the proposed curb cut and ground sign within 75 feet of the residence use district cannot affect the adjoining owner to the north as this site is now being developed with a gasoline service station; and

WHEREAS, the applicant states that the present owners have held title to the property since May 1, 1947; that the assessed valuation of land is \$11,700 and of the building \$13,000 making a total of \$24,700; that the building was erected in 1947; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f, for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto, substantially as proposed and as indicated on plans filed with this application, marked "Received February 24, 1958", 3 sheets, *on condition* that all buildings and uses now on the site shall be removed and the premises shall be leveled substantially to the grade of Francis Lewis Boulevard and Northern Boulevard and shall be constructed and arranged as indicated on such plans; that the accessory building shall be of the design, arrangement and location as indicated, without cellar, and shall be faced with face brick on all sides and shall comply in all other respects with the requirements of the Building Code; that the pumps shall be located where shown, not more than 15 feet from Francis Lewis Boulevard; that such pumps shall be of the low approved type and shall not exceed twelve 550 gallon approved gasoline storage tanks; that there shall be erected on the rear line to the west where walls of the accessory building do not occur, a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches; with suitable terminating posts; that a similar fence shall continue to the street easterly from the rear line to the street building line of Francis Lewis Boulevard; that the premises where not occupied by the accessory building and pumps shall be paved with concrete or asphalt; that the sidewalk and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that curb cuts shall be restricted to four curb cuts to Francis Lewis Boulevard each 30 feet in width with no portion of the curbing nearer than 5 feet to a lot line as prolonged; that there may also be one 30 foot curb cut, where shown, on Northern Boulevard under similar requirements; that at the intersection there shall be erected a block of concrete extending for a distance of 35 feet along the street line from the intersection and not less than 12 inches in height; that signs shall be restricted to permanent signs attached to the facade of accessory building facing Francis Lewis Boulevard and the illuminated globes of the pumps excluding all roof and temporary signs and advertising devices, but permitting the erection of a post standard for supporting a sign at right angles to Francis Lewis Boulevard building line advertising only the brand of gasoline on sale which sign may extend over the building line for a distance of not more than 4 feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i for a similar term there may be

minor repairs for adjustments only with hand tools carried on solely within the accessory building; that there may be under Section 7e, for a similar term, parking of motor vehicles awaiting service on such portion of the premises as will not interfere with the servicing of the station; that under Section 7A any signs or curb cuts deemed not in accordance therewith may be permitted provided the requirements of this Resolution are complied with; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall require; that where not occupied by accessory building and pumps the premises shall be paved with concrete or asphalt; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

1106-48-BZ—Vol. II

APPLICANT—Michael Levine, for Lucky Star Realty Corp., owner.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "E-1" area district, the erection of a one story and basement building to be used for factory purposes, the proposed building encroaches on the required side yard and setbacks and to occupy more than the permitted area coverage.

PREMISES AFFECTED—149-06 to 149-16 (149-10 official) New York Boulevard and 177-22 to 177-30 149th Avenue, southwest corner, Block 13383, Lots 63, 66 and 69, South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Michael Levine.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on September 24, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 10, 1958 at the request of the applicant; then to June 17, 1958, at request of an objector; then to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, New York Boulevard, 149th Avenue, 149th Road and 177th Street are in a residence use, E-1 area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 15, 1957 acting on N.B. Applic. No. 852-57, reads:

"1. The use of the premises as a factory in a Residence Use District is contrary to Art. II Sec. 3 Z.R.

2. In an E-1 district each building shall have at least one sideyard of 5' as per Art. IV Sec. 15A(6) Z.R.

3. In an E-1 district no portion of any building shall be erected nearer than 15' to the street line on which it fronts and 10' from another street. Art. IV-15A(c) & Art. IV-15(d) Z.R.

4. Area occupied is excessive as per Art. IV-15(d) Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 92.93 feet in depth, presently vacant; that it is proposed to construct a one story and basement fireproof factory building; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification

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for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. #852/57, Objections No. 1 and 2 and 3, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

116-53-BZ—Vol. 11

APPLICANT—Leonard F. Rothkrug, for Leo Levy, owner.
SUBJECT—Application reopened January 7, 1958 as Vol.

II—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry—non automatic, motor vehicle repairs with hand tools only, office, sales and parking of cars awaiting service, all for a term of fifteen (15) years.

PREMISES AFFECTED—162-25 Union Turnpike, northwest corner of 164th Street, Block 6852, Lot 17, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Agnes Nielsen.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,
Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 7, 1958 subject to regular procedure: and

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; applicant to amend plans to show Veterans' Memorial Park and statement to include proposed tenant's or purchaser's name; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Union Turnpike and 164th Street are in a retail use, D area, class 1 height district; 78th Road and 162nd Street are in retail and residence use, D and E-1 area, class 1 height districts; that on July 25, 1916 the premises was in a business use district and was rezoned to its present designation on September 18, 1947; and

WHEREAS, the decision of the Borough Superintendent, dated October 24, 1957 acting on N.B. Applic. No. 3293-57, reads:

"1. The erection of a gasoline service station, auto laundry, (non-automatic), auto repair shop with hand tools only, lubritorium and parking of cars waiting service is contrary to Art. II Sec. 4-a Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 186.81 feet frontage by 80.19 feet in depth, irregular in area, with a portion of the 79th Avenue frontage and a portion of the 164th Street frontage being also Union Turnpike frontage, presently vacant, except for advertising signs proposed to be removed; that it is proposed to erect and maintain a gasoline service station with non-automatic car wash, motor vehicle repairs with hand tools only, lubritorium, office, sales and parking for cars awaiting service; and

WHEREAS, the applicant states that these premises was formerly in a business use district and was rezoned to retail on September 18, 1947; that a gas station was a permitted use in a business zone prior to 1925 so that it could have been erected without application for a variance at any time prior to 1925; and

WHEREAS, the applicant contends that there is no economic demand for development of these premises with a conforming use; that the zoning resolution will permit retail stores or dwellings; that the owner of these premises is a builder of one family homes and purchased the site and the adjoining lot at one time; and that the premises opposite the site on the northeast corner of this intersection—block 6972, lots 27 and 29—is developed with a gas station granted by the Board under Cal. No. 1012-48-BZ, and the premises opposite the site on the southwest corner of this intersection—block 6857, lot 53, is developed with a gas station granted by the Board under Cal. No. 706-47-BZ; that the premises opposite the site on the southeast corner of this intersection is developed with a diner; that where three corners of an intersection are developed with non-residential uses, it becomes economically unfeasible to develop the fourth corner with a residence use; and that there is an existing gas station at the intersection of Union Turnpike and 162nd Street on the next tax block to the west granted by the Board under Cal. No. 607-51-BZ; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which did not find any material change from the previous application before the Board which was denied and recommended that this application should not be granted; and

WHEREAS, the Board's decision in denial of application under Volume I was sustained at Special Term Supreme Court, and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e, f and i of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 3293-57, Objection No. 1 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

264-56-BZ

APPLICANT—Henry Nordheim, for Joseph Torres, owner.

SUBJECT—Application reopened June 3, 1958 for consideration as to extension of time to complete, expired January 23, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a term of years.

PREMISES AFFECTED—1178 Pugsley Avenue and 2000 Gleason Avenue, southeast corner, Block 3802, Lots 6 and 9, Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened on June 3, 1958 and set for hearing on June 24, 1958 at 10 A.M., subject to regular procedure waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; laid over to July 1, 1958, for further consideration and decision; and

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated June 17, 1958 acting on amendment to Alt. Applic. No. 312-56, reads:

"Respectfully request that this application be reissued in order that application be filed at the Board of Stand-

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ards and Appeals be made for reopening of Cal. No. 264-56-BZ for extension of time to complete all requirements of the variance as per resolution of July 23rd, 1957, which also expired.

Amendment disapproved with the objection No. 1 repeated.

Proposed parking lot for motor vehicles on lots in residence use district is contrary to Art. 2, Sec. 3 of the Zoning Resolution."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957 only insofar as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within six months from the date of this amended resolution."

348-56-BZ

APPLICANT—Burke, Green and Groh, for Mary Ryback, owner.

SUBJECT—Application reopened May 27, 1958 for consideration as to extension of time to complete (expired April 30, 1958)—decision of the Borough Superintendent previously granted on condition under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, office, sales room, car wash—non automatic, minor repairs and parking for more than five (5) motor cars waiting for service.

PREMISES AFFECTED—175-15 Rockaway Boulevard, southeast corner of 149th Avenue, Block 13381, Lot 30, Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time to obtain permits and complete the work, which had expired by time limitation on April 30, 1958; and

WHEREAS, this application was reopened on May 27, 1958 and set for hearing on June 24, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; laid over to July 1, 1958, for applicant to file decision of the Borough Superintendent; and

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated June 19, 1958 acting on amendment to N.B. Applic. No. 826-56, reads:

"1. Your request for extension of time for one additional year cannot be approved as it is contrary to the resolution of the Board under Cal. No. 348-56-BZ as same has already expired as per Sec. 22A of Z.R."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 30, 1957 only insofar as it has reference to obtaining permits and completion of the work so that is amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within Section 22A of the Zoning Resolution and a Certificate of Occupancy shall be obtained. (N.B. Applic. 826-56)."

716-56-BZ—Vol. II

APPLICANT—Larry Meltzer, for Jewish Center of New Hyde Park, Inc., owner.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a C area district, the erection of an extension to a present synagogue and occupying more than the permitted area.

PREMISES AFFECTED—771-779 East 49th Street, east side, 100 feet north of Avenue D, Block 4770, Lots 50, 52 and 53, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol II on January 7, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1 height district; East 49th Street and Clarendon Road are in residence and business use, C area, class 1 height districts; Avenue D and Utica Avenue are in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 14, 1957 acting on amendment to Alt. Applic. No. 4592-55, reads:

"1. The proposed change in size and height of the extension to existing Synagogue from that approved by the Board of Standards and Appeals is contrary to the resolution of the Board #716-56-BZ and 717-56-A. Therefore—the area of the proposed extension exceeds that permitted in a "C" area district by Art. IV Sect. 13 of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 80 feet frontage by 100 feet in depth; that on the southerly 40 foot portion of the plot is a one story and basement, class 3 structure, occupied as a Synagogue; that it is now proposed to erect an extension to the present Synagogue, of class 3 construction; and

WHEREAS, the applicant states that the Synagogue was established under Alt. Applic. No. 8958-29, at which time a frame building was altered by erecting a brick extension at the rear, and Certificate of Occupancy No. 71413 was issued on July 19, 1933; that under Alt. Applic. No. 5438-38 the remaining frame portion of the building was demolished and a new brick extension was erected, thereby establishing the class 3 structure with its present Synagogue occupancy; that no new Certificate of Occupancy was issued; and

WHEREAS, the applicant further states that the 40 foot by 100 foot plot to the north of the existing Synagogue was acquired December 28, 1953 for the purpose of providing classrooms for religious education; that on March 17, 1957, the Board, acting on an application on the above premises, granted a variance under Cal. No. 716-56-BZ, permitting an extension to the building which occupied an area which exceeded that permitted by the Zoning Resolution, in the amount of 760 square feet; that on the same date, the Board, acting on Cal. No. 717-56-A, granted a variance modifying an exit requirement and permitting a fire wall above a roof less than three feet high; that at the time that the Building Committee of the Synagogue authorized the application for these variances, it contemplated future extension of the building when additional funds were available; that since the granting of the variance, the Building Committee has

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been able to raise adequate funds to embark upon the entire program; and

WHEREAS, the applicant contends that this Synagogue serves the religious needs of a local community; that the constantly increasing demands of this community for religious education for its children and for a community center for its social and religious functions now makes it necessary to utilize the available land to its fullest extent; that the new story provides additional space for a Synagogue and space for the social and recreational activities which form a necessary part of the program of a modern religious institution; that the proposed structure will not adversely affect the general area nor the adjoining lots; that the use of the proposed structure is in keeping with the area since a public school is located directly across the street; that a minimum rear yard of ten feet is being maintained at the rear lot line which abuts a business use district; that the rearrangement of the premises now provides for a fire wall separating the existing building from the proposed new extension; that the installation of the fire wall makes it possible to rearrange the exits, so that the variance granted under Cal. No. 717-56-A is no longer required; and

WHEREAS, the applicant states that the present owner has held title to the property since 1927 and December 28, 1953; that the assessed valuation of land is \$6,800 and of the building \$49,100 making a total of \$55,900; that the building was erected in 1929; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 to permit the extension of area in connection with the proposed enlargement of the building as indicated on plans filed with this application, marked "Received November 27, 1957", 7 sheets, "May 14, 1958", 1 sheet, on condition that the building shall not be further increased in height or area and shall comply with all laws, rules and regulations applicable thereto and prior resolutions as far as applicable; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

648-20-BZ—Vol. II

APPLICANT—Albert Melniker, for Samuel Jaeger, owner; Staten Island Oil Company, lessee.

SUBJECT—Application reopened September 24, 1957, as Vol. II—re decision of the Borough Superintendent, under sections 7a, 7c and 7A of the Zoning Resolution, to permit in a retail and residence use district, an extension of the present uses of a gasoline service station to include a one-bay lubritorium, accessory parking in the retail district and the installation of the necessary curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3940-3952 Amboy Road and 2-20 Hillside Terrace, southwest corner, Block 5142, Lot 22, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on September 24, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on April 15, 1958 after due notice by publication in the Bulletin; laid over to June 3, 1958, for inspection, revised plans and decision; hearing closed; then to July 1, 1958, for continuation of hearing and decision; application to file revised plans; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hillside Terrace and Brown Avenue are in retail and residence use, D and E area, class 1 and class $\frac{3}{4}$ height districts; Locust Place is in a residence use, E area, class $\frac{3}{4}$ height district; Amboy Road is in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 5, 1957, acting on Alt. Applic. No. 26-57, reads:

"2. Alteration of present garages and building a lubritorium and accessory parking for retail use with new curb cuts on Hillside Terr. & Brown Ave. partly in Retail D and Residence E districts is contrary to Art. II Sect. 3 & Sect. 4(a) subdiv. 46 Zone Resolution and is denied.

3. Note that curb cuts are contrary to the variance granted by Board of Standards & Appeals under Cal. 648-20-BZ and should be referred to the Board of Standards & Appeals for approval."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 178 feet in depth; that the existing premises was erected prior to 1898; that Cal. No. 648-20-BZ granted a variance for the erection of a frame garage for more than five motor vehicles; that the present structure has Certificate of Occupancy No. 3139, dated January 15, 1942 providing for the use of a gasoline service station and accessory store for these premises; that the Certificate of Occupancy reads—"Gasoline service station use established prior to June 12, 1935"; that it is proposed to alter and enlarge the present structure on Amboy Road and Hillside Terrace by adding a one story masonry extension to be used as a lubritorium in conjunction with an existing gasoline service station; that it is also proposed to alter the present garages at the rear of the property, granted by a variance under Cal. No. 648-20-BZ, by removing all garage units of frame construction and leaving the existing garage of masonry construction, size 42 by 16; that all existing tanks and gasoline pumps as now located are to remain; that it is also proposed to use the open spaces of the property for accessory parking, with curb cuts on Hillside Terrace and Brown Avenue; that this accessory parking will be used for both the gas station and the retail food store on the premises; that it is proposed to add two 550 gallon tanks to make a total of eight gasoline storage tanks, and to add one dual gas pump to make a total of three dual pumps; and

WHEREAS, the applicant contends that the proposed lubritorium is essential for the proper operation of this gas station inasmuch as present facilities do not permit any minor mechanical adjustments and repairs with hand tools; that the proposed location of the lubritorium is in direct relationship to the present gas station, office and pumps and would thus make this an integrated unit; that the design of the proposed extension would blend architecturally with the present structure and will improve both the operation of the gas station as well as the rear portion of the property; that the present widening of Amboy Road has been on record since 1918; that the proposed extension will not affect the widening; that the easement indicated on the survey at the rear of the property is a permanent easement and acts as a barrier between the property in question and the adjacent properties; that the proposed improvement is a necessary expansion for the proper and successful operation of the gas station; that under present conditions the lessee is severely hampered by lack of access to the rear of the property from both Hillside Terrace and Brown Avenue, the lack of facilities for automobile adjustment and lubrication and the lack of automobile parking and storage area; and

WHEREAS, the applicant states that the present owner has held title to the property since March 13, 1945; that the as-

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sessed valuation of land is \$20,000 and of the building \$12,000 making a total of \$32,000; that the building was erected prior to 1898; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, under Volume I the area of the lot was substantially the same as now stated and a garage was permitted which apparently was later remodeled into gasoline station and store without referring to the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 23, 1920 by adding thereto:

"that in the event the owner desires to make certain changes as indicated on the plans filed with this application, marked "Received August 5, 1957", 2 sheets, "January 22, 1958", 2 sheets, "March 5, 1958", 2 sheets, "June 30, 1958", 5 sheets; that such extension of work may be permitted as shown thereon under proposed conditions, provided the proposed lubritorium building shall be located so as to have the entrance thereto from the rear; that certain garages shown to be removed, shall be removed and space now occupied properly paved; that all buildings at the rear shall be removed leaving only garages which are of class 3 structure; that gasoline storage tanks shall not exceed eight 550 gallon approved gasoline storage tanks; that there may be an additional dispensing pump as proposed; that in all other respects the buildings and occupancy shall comply with all laws and rules applicable other than as required by resolution adopted this day under Calendar Number 1017-57-A; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

545-57-BZ

APPLICANT—Leonard F. Rothkrug, for Maria Gitto, doing business as Joseph Gitto and Sons, owners.

SUBJECT—Application July 19, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, C area district, the change in occupancy and extension of a one family dwelling and four car garage to wholesale grocery storage occupying more than the permitted area.

PREMISES AFFECTED—155 Hopkinson Avenue, east side, 25 feet north of Hull Street and 101 Hull Street, north side, 70 feet east of Hopkinson Avenue, Block 1533, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958, after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; applicant to correct photograph; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hull Street, Hopkinson Avenue and McDougal Street are in a residence use, C area and class 1 height district, Rockaway Avenue is in a local retail use, C area and class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 12, 1957, acting on Alt. Applic. 4613-55, reads:

"2. Proposed use for the storage of grocery products in a structure located in a residence use district is contrary to Art. II, Sec. 3 of the Zoning Resolution."

"3. Proposed extension exceeds area for a 'C' district and is contrary to Art. IV, Sec. 13(b) of the Zoning Resolution.

"4. Proposed extension located within required rear yard violates Art. IV, Sec. 17a of Zoning Resolution." and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage, by 100 feet in depth, on which is located a two story and attic building, 19 feet in height, erected prior to 1916 of class 4 construction and used and occupied as a dwelling for one family, and a one story garage building used as a garage for four cars; that it is proposed to alter and extend the 1st floor of the dwelling and occupy it in conjunction with the four car garage building for occupancy as wholesale grocery storage; and

WHEREAS, the applicant contends that the owner is the owner of Lots 1, 2, 4 and 5 of this tax block and is also the occupant of the retail grocery store on the adjoining Lot 1, northeast corner of Hopkinson and Hull Street; that the retail grocery store use was established prior to 1916, before the enactment of the Zoning Resolution and constitutes a legal non-conforming use; that the four car garage portion of the subject premises was formerly part of Lot 1 and was erected under Alt. Applic. 1274-51 and occupied in accordance with Certificate of Occupancy No. 139472 as a four car garage accessory to the corner multiple dwelling; that the retail grocery business of the owners expanded into a wholesale grocery business several years ago specializing in Italian-American groceries and an urgent need has developed for storage space; that the owner started using the open rear yard of the subject premises and subsequently erected a temporary covering; that a grant of the proposed application will not adversely affect any of the property owners within the neighborhood; that the area was almost fully developed prior to 1916 before there were any Zoning restrictions; that as a result there are commercial uses on three of the four corners at the intersection of Hopkinson and Hull; that the premises could have been properly zoned as business in 1916 and the proposed use would have been a conforming use; that the use is limited to a depth of 100 feet from Hopkinson Avenue; that the use is a natural outgrowth of the conforming retail store use on the corner; that Zoning Violation 163-56 issued June 11, 1956 reads in part as follows:

"Being located in a residence use district. First floor of said building is being used for the storage of groceries.

Violation 2580-56 issued June 11, 1956 reads in part as follows:

"A wood frame structure has been erected between the front and rear buildings, size about 25 feet by 25 feet by 10 feet and being used for the storage of groceries without an approved application and permit from this department."

that the use will be limited to a storage use only and there will be no additional employees, no manufacturing, and no obnoxious noise or odors; that the area district objection results from the fact that the premises, although devoted to a commercial use is zoned residence and a higher percentage limitation exists; that if the premises was zoned business then the coverage would not exceed the area district limitations; that particularly, in view of the fact that credit would be given to off-street loading area; that the same owner has purchased two additional lots within this tax block and there is no vacant property available; and

WHEREAS, the applicant states that the present owner has held title to the property since July 28, 1953 and September 23, 1946; that the assessed valuation of the land is \$3125 and of the building \$1275; making a total of \$4400; and that the building was erected in 1902; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted subject to conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to

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warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Section 7e as to use and under Section 21 as to area, to permit for a term of ten years the extension in use and area and the change of occupancy of the first floor of the existing one-family dwelling and four-car garage to wholesale grocery storage, as proposed to be extended and as indicated on plans filed with this application, marked "Received April 1, 1958", 12 sheets, *on condition* that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; other than as amended this day by resolution adopted under Cal. No. 546-57-A; that all permits required and a new certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

546-57-A

APPLICANT—Leonard F. Rothkrug, for Maria Gitto, doing business as Joseph Gitto and Sons, owners.

SUBJECT—Application July 19, 1957—Appeal from a decision of the Borough Superintendent, re Class 4 structure-commercial use.

PREMISES AFFECTED—155 Hopkinson Avenue, east side, 25 feet north of Hull Street and 101 Hull Street, north side, 70 feet east of Hopkinson Avenue, Block 1533, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION ON BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert,
Commissioner Foley and Commissioner Sleeper..... 4
Negative 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated July 12, 1957, on Alteration Application 4613/55 reads:

"1. Proposed change of occupancy on first floor of a Class 4 structure within the fire limits from a residential use to a commercial use is contrary to Section 4.2.1 and 2.1.3.5 of the Building Code."

and

WHEREAS, the applicant states that the building is two stories and attic, 27 feet in height, 22 feet 4 inches front by 100 feet irregular in depth at first floor, 50 feet irregular in depth at second floor of Class 4 construction, erected in 1902 located on a lot 25 feet front on Hopkinson Avenue with a depth of 100 feet therefrom with an El fronting 30 feet on Hull Street, located in a residence use C area, Class 1 height district and used and occupied since 1955 as a one family dwelling and four car garage accessory to the multiple dwelling on Lot 1; the building is now proposed to be used as follows: first floor—wholesale grocery storage, 3 persons; second floor—dwelling one family; the building is provided with one 3 feet wide interior wood stairs, enclosed in partitions of wood lath and plaster equipped with wood doors which are not self closing, stair hall leads direct to street and is provided with a ladder and scuttle to roof; and

WHEREAS the applicant states the premises consist of a lot 25 feet front by 100 feet in depth upon which there is a two story and attic frame building erected prior to 1916, 25 feet front by 50 feet in depth, occupied as a one family dwelling and a one story building 30 feet front on Hull Street by 25 feet in depth, erected under Alteration Application 1274/51 in Class 3 construction for use as a garage for four cars accessory to the multiple dwelling on the adjoining Lot 1; that certificate of occupancy 139472 was issued for this building; and

WHEREAS, the applicant states that it is now proposed to extend the first floor of the two story building in Class 3

construction and use it in conjunction with the four car garage for the storage of wholesale grocery supplies and the second floor will be used as a one family dwelling; and

WHEREAS, the applicant contends that the same owner owns the building on Lot 1 at the northeast corner of Hopkinson and Hull and occupies the first floor of such adjoining building as a grocery store; that the four car garage building which is the subject of this appeal was erected for use in conjunction with the corner lot and is now used substantially as herein proposed; that the new extension will be of Class 3 construction and it is proposed to fire retard the cellar and first floor ceiling; that the stair hall to the second floor will lead direct to the street and will be enclosed in fire protected partitions; that the proposed business area will be used for grocery storage only; that there will be no manufacturing of any kind and no full time employees on the premises; that the premises will be supervised by the owners residing in the adjoining corner building; that permanent aisle spaces will be provided and exit maintained to both Hopkinson Avenue and Hull Street; that no inflammables will be stored on the premises; that the existing temporary frame shed in the rear yard will be removed; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal should be granted with conditions.

Resolved, that the decision of the Borough Superintendent, dated July 12, 1957, acting on Alt. App. 4613/55, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the resolution adopted by the Board this day under Cal. No. 545-57-BZ shall be complied with; and that the present frame building shall be fire-retarded as proposed and as shown on plans referred to therein.

803-57-BZ

APPLICANT—Hyman Muss, for Willets Point Taxpayer Inc., owner.

SUBJECT—Application November 7, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection of a two-story building to be occupied on the first floor with stores and a motion picture theatre and the use of the second floor for offices and projection room.

PREMISES AFFECTED—19-05 to 19-11 Francis Lewis Boulevard, southeast corner of 160th Street, Block 4758, Lot 145, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating
Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Francis Lewis Boulevard are in a local retail use, D and F area, class ½ height district; Willets Point Boulevard is in a local retail use, D area, class ½ height district; 160th Street is in a residence use, F area, class ½ height district; 17th Avenue is in a residence use, D and F area, class ½ height district; that prior to December 31, 1951 the part of the premises that fronts on Willets Point Boulevard was business for a depth of 100 feet and the balance was residential; that on December 31, 1951 the business use was changed to local retail and extended to local retail the balance of the premises, which is the subject of this application; that at the same time the area for a depth of 200 feet from Willets Point Boulevard was as of that date changed so that all of it was in a D zone; that the only part which was continued in F zone was the small

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triangle which is behind the 200 foot depth and which was continued as F zone; and

WHEREAS, the decision of the Borough Superintendent, dated April 25, 1958 acting on amendment to N.B. Applic. No. 3393-57 reads:

"2. Use of theatre in local retail zone is contrary to 4c of the Zoning Resolution.

"3. Second story occupancy for business use in local retail zone is contrary to 4c of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 179.81 feet frontage by 277.04 feet in depth, irregular, presently vacant; that it is proposed to construct a building 45 feet by 170 feet, irregular, to be occupied as a theatre and stores on street level and second story office space in a small portion above; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Amdt. to N.B. App. 3393-57, Objection No. 2 and 3 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

881-57-BZ

APPLICANT—Max Horn, for Peter P. Bendzlowicz, owner.

SUBJECT—Application December 10, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a local retail use district, the relocation, into a recently consolidated lot, and the reconstruction of a gasoline service station, lubritorium, office, sale of auto parts, minor auto repairs and the parking of cars awaiting service, this change is required due to the proposed widening of the two streets on which the building has frontage.

PREMISES AFFECTED—259-59 Francis Lewis Boulevard and 147-60 Hook Creek Boulevard, northeast corner, Block 13686, Lot 5, Rosedale, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn and Peter P. Bendzlowicz.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Francis Lewis Boulevard, Hook Creek Boulevard, 147th Drive and 148th Avenue are in a local retail use, D area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 19, 1957 acting on N.B. Applic. No. 3588-57, reads:

"1. The proposed erection of a Gasoline Service Station in a Local Retail use district with accessory office, lubritorium, minor repairs, sales of auto parts and parking of cars awaiting service is contrary to Art. II Sec. 4c Zoning Res.

2. The erection of a ground sign in a local retail use district is contrary to Art. II Sec. 4c & Art. II 4(49) Zoning Res."

and
WHEREAS, the applicant states that the premises consist of a plot, 51.34 feet frontage by 36.80 feet in depth; that this plot originally consisted of two lots, numbers 5 and 15, but

were recently consolidated into one lot now known as lot No. 5; that it is proposed to replace an existing gasoline service station which is located in the bed of a mapped street; and

WHEREAS, the applicant states that on former lot 15 there is now located a gas service station for which Certificate of Occupancy No. Q-69605 was issued December 26, 1950; that former lot 5 contains a dwelling which will be removed to make room for the new gas station; that the gas filling station was approved under N.B. Applic. No. 2106-30 for two 550 gallon tanks, when this area was not restricted; that on March 23, 1931 the Fire Department issued Permit No. B-388590 which was continued until 1939; and

WHEREAS, the applicant further states that the present arrangement is inadequate to carry on the business as there are no facilities for minor repairs and the lift is outdoors, and the gasoline pumps and island are now located outside of present property lines; that it would be impossible to house the automobile lift and move the pumps and island to comply with the requirements of the Code, namely, to keep the pumps at least ten feet inside the lot lines; that the owner could not make any improvements because the City proposes a widening of both streets with a consequent loss of over half his land; that the entire existing gas station, pumps, etc., are within the area to be lost; that the building was approved August 19, 1930 for a gas filling station and operated as such until 1939; that it was not occupied until 1950 when it was reopened; that the Fire Department required a new Certificate of Occupancy before issuing a combustible permit, hence Alt. Applic. No. 379-50 which was approved, and Certificate of Occupancy No. Q-69605 obtained as of December 26, 1950; that two curb cuts were approved on Francis Lewis Boulevard—Cross Island Boulevard—under B.N. 2096-50 and another curb cut under B.N. 941-51; and

WHEREAS, the applicant contends that the proposed new gas station and accessory uses is to replace the existing station, which must be demolished because it is in the bed of the mapped streets of both Francis Lewis Boulevard and Hook Creek Boulevard; that a sign post and sign is proposed where indicated on plans and the Board is requested to grant a variance to permit a ground sign; and

WHEREAS, the applicant states that the present owner has held title to the property since August 4, 1930 and November 30, 1948 and that the assessed valuation of land is \$2,000 and of the building \$4,000 making a total of \$6,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the records indicate that the gasoline service station was established in 1930 or before, and occupied approximately 75 feet by 50 feet, and has been subject to Fire Department permits; and

WHEREAS, the applicant now desires to reconstruct the station on a different sized plot, due to widening of Hook Creek and Francis Lewis Boulevards; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions c and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the partial relocation and reconstruction of the lawfully permitted gasoline service station, substantially as proposed and shown on plans filed with this application, marked "Received December 10, 1957", 7 sheets, "April 30, 1958", 1 sheet, "June 10, 1958", 1 sheet "June 18, 1958", 3 sheets *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that pumps shall be of a low approved type, erected not nearer to the street building line than shown on plan marked "Received June 18, 1958"; that the number of gasoline storage tanks shall not exceed four 550 gallon approved tanks; that the balance of plot where not occupied by accessory building and pumps shall be paved with concrete or asphalt; that sidewalks abutting the side shall be constructed or repaired

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to the satisfaction of the Borough President; that curb cuts, whether existing or proposed shall be not more than five, each not over 15 feet in width; that signs shall be restricted to the facade of the accessory building and the illuminated globes of pumps, excluding roof signs, temporary signs and advertising devices, but permitting the erection within the premises of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and which sign may extend not more than 4 feet beyond the building line; that under Section 7i there may be minor repairs with hand tools only, for adjustments, maintained solely within the accessory building; and under Section 7c there may be parking of cars awaiting service, provided such cars are placed where they will not interfere with the servicing of the station; that there shall be no windows constructed in the rear wall of the accessory building, and said building shall be without cellar; that any spaces on the rear lot line beyond the wall of the accessory building shall be protected with a masonry wall agreeing with the face brick of the accessory building, erected to a total height of not less than five feet, 6 inches; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

909-57-BZ

APPLICANT—Aaron Halpern, for Wiljay Contracting Co., Inc., owner.

SUBJECT—Application December 12, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, a one-story extension to an existing non-storage, 4 car garage to be used for the storage of contracting equipment which is now legally stored in an open yard, the proposed extension to occupy more than the permitted area coverage.

PREMISED AFFECTED—152-15 14th Road, north side, 101.94 feet east of 152nd Street and 152-10 13th Avenue, Block 4541, Lot 22, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern, Robert Johnson, Jr., and James B. Bell.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958, after due notice by publication in the Bulletin; to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 14th Road, 13th Avenue, 152nd Street and 154th Street are in a residence use, G-1 area and class 1 height District; and as of July 25, 1916, the property was zoned as an Unrestricted District and a D area District; that the present residence designation became effective on April 16, 1938 and the present G-1 area designation became effective on July 24, 1951; that the height designation has not been changed since July 25, 1916 and no Zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated November 13, 1957, acting on Alt. Applic. 1975-57, reads:

"1. Proposed extension of existing structure for business use in a residence zone is contrary to Art. II, Sec. 3 of Zoning Resolution.

2. Area of occupancy of proposed extension in G-1 Zone is contrary to Sec. 16 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 48.31 and 15.41 feet frontage, by 149.96 feet in depth

irregular; that at the present time the property is improved with a 30 feet by 60 feet one story masonry building which was erected under N.B. Applic. 4331-31 and is used conjunctively with the open yard which is used for storage of contractors' equipment all uses of which were established and operating under Certificate of Occupancy #Q97404 which was issued August 2nd, 1954; that it is proposed to construct a modern one story extension to this existing structure so as to place all the storage of contractors' equipment under cover; that the area of this irregular lot is 8148 square feet; that the area of the existing building which was erected in 1931 is 1800 square feet leaving the remaining open area of 6348 square feet; that the allowable coverage in a G-1 area is 40% of this open area which is 2539 square feet; that the area of the new proposed extension is 3804 square feet which indicates an excess coverage of 1265 square feet; that the proposed extension will have a facade of brick to provide a pleasant appearance as well as colonial trimwork facing on the 14th Road frontage; that no openings are proposed along the lot lines nor at the rear facing onto the 13th Avenue frontage (13th Avenue is mapped but is not legally open); and

WHEREAS, the applicant contends that Block 4717, Lot 16 is improved with a large shopping center; that in view of the foregoing facts, and in view of the fact that the proposed improvement will place all unsightly contractors' equipment under cover, a condition which is much more desirable than the condition existing at present and this proposed improvement will in no way adversely affect any adjoining property owners; that in addition the 15 feet setback will be maintained at the front of the building; that it will also be landscaped; that it is respectfully requested that this application be granted; and

WHEREAS, the applicant states that the present owner has held title to the property since September 3, 1957; that the assessed valuation of the land is \$2,500 and of the building \$2,500; making a total of \$5,000; that the building was erected in 1931; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted on condition, including elimination of parapet to provide additional light to adjoining occupancies; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Section 7c and 21 to permit the extension of use by extending the existing building as proposed and as shown on plans filed with this application marked "Received December 12, 1957", 5 sheets, and "May 21, 1958", one sheet, for the use as proposed, *on condition* that the building shall in all other respects comply with all laws, rules and regulations applicable thereto; that the building shall not be extended beyond the area as indicated on such plans; that there shall be no lot line windows; that the parapet as shown around the building shall be eliminated and the roof shall be equipped with an overhanging cornice; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

992-57-BZ

APPLICANT—Victor G. Madonia, for Jacob Feldman, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairing, office, sales,

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storage room and parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—109-50 Merrick Boulevard, southwest corner of 109th Road, Block 10189, Lot 8, South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Victor G. Madonia.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating
Commissioner Kleinert, Commissioner Foley and Com-
missioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Merrick Boulevard are in a retail use, D area, class 1 height district; 109th Road and Brinkerhoff Avenue are in retail and residence use, D area, class 1 height districts; 169th Street is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 30, 1957 acting on N.B. Applic. No. 3087-57, reads:

"1. The proposed use of a gasoline service station, lubritorium, car wash, minor repairs, office, sales, storage, parking of more than 5 cars waiting to be serviced in a retail district is contrary to Art. II, Sec. 4A of the Zone Law.

"2. The proposed curb cuts and show window within 75 ft. of a residence district is contrary to Sec. 7A of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 168.43 feet frontage by 100 feet in depth, presently vacant; that it is proposed to erect and maintain, for a term of fifteen years, a modern gasoline service station consisting of ten 550 gallon gasoline tanks and four dispensing pumps; that the proposed building will be one story in height with a frontage of 56 feet 5 inches and a depth of 28 feet, of class 3 construction, and will contain storage space, office and salesroom, minor auto repair facilities, lubritorium and a car wash; that the part of the site not landscaped will be used for parking vehicles awaiting service; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board and the committee recommended that the Board should not exercise its discretion to grant the application; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e, f, i and 7A of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 3087-57, Objection No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

27-58-BZ

APPLICANT—John F. Fitzsimons, for Esther Lynch, owner.

SUBJECT—Application January 28, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction of a building to be used as a plumber shop, office, store, cellar and one car garage.

PREMISES AFFECTED—45-25 47th Street, east side, 117.12 feet south of Greenpoint Avenue, Block 151, Lot 23, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; 47th Street and 48th Street are in residence, retail and local retail use, B area, class 1½ height districts; Greenpoint Avenue is in a retail use, B area, class 1½ height district; 47th Avenue is in a local retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 10, 1958 acting on N.B. Applic. No. 3803-57, reads:

"1. Proposed plumbing shop, office, store and accessory one-car garage in a residence use district is contrary to Article 2, Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet frontage by 95 feet in depth; that it is proposed to construct a one story building 31 feet front by 85 feet deep, with a full cellar, except for that portion to be occupied as a one car garage; and

WHEREAS, the applicant states that the premises has been in the present ownership since December of 1924 and it has not been feasible to develop it for residential purposes; that it is under contract of sale of Henri Billharz, a plumber, who is being required to move from his present shop at 45-56, 47th Street; that this contract is conditional upon the securing of a variance to permit the uses of the premises as proposed; that the westerly side of 47th Street, opposite the site, is developed with a series of stores occupied variously by F. W. Woolworth Company, a tavern, a stationery store, etc.; that abutting the premises on the northerly side is a two story building housing Anoroc Democratic Club, Inc., the frontage of whose property is in a business use district; that the site and lot 26 in the same tax block, which said lot 26 is owned by The City of New York through an In Rem tax foreclosure, are the only presently unoccupied lots within a 500 foot radius; and

WHEREAS, the applicant contends that on the basis of all the circumstances and general character of the neighborhood, it is felt that the proposed construction will not be out of harmony with the general purpose and intent of the Zoning Resolution, and it is accordingly requested that this application be granted for a term of fifteen years; and

WHEREAS, the applicant states that the present owner has held title to the property since December 15, 1924 and that the assessed valuation of land is \$6,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted with conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e, for a term of fifteen years, to permit the occupancy of the proposed building as a plumber shop, office, store, cellar and one car garage, substantially as proposed and indicated on plans filed with this application, marked "Received January 28, 1958", 4 sheets, and "May 5, 1958", 1 sheet on condition that the building in all other respects shall comply with all laws, rules

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and regulations applicable thereto; that such signs may be permitted on the front of the building as would be permitted for a similar building when erected in a local retail district; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

39-58-BZ

APPLICANT—Julian Roth of Emery Roth and Sons for Bankers Trust Co., and Metropolitan Life Insurance Co., owners.

SUBJECT—Application January 14, 1958—decision of the Borough Superintendent, under section 19A and 21 of the Zoning Resolution, to permit the separation of Lot 67 from the Certificate of Occupancy of Lot 1 and extend the 12 story building on Lot 69 to 19 stories and erect thereto a 19 story extension of Lot 67, eliminating the required loading and unloading berth.

PREMISES AFFECTED—2-4 East 44th Street and 523-529 5th Avenue, southeast corner, Block 1278, Lots 67 and 69, Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth.

For Opposition: Samuel Bodian for City Construction Coordinator.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over for applicant to send out new notices by regular mail for hearing on June 3, 1958; then to June 10, 1958 for further consideration; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 44th Street, Fifth Avenue, East 43rd Street and Madison Avenue are in a restricted retail use, B area, class 1 $\frac{1}{4}$ and class 2 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 20, 1957 acting on Alt. Applic No. 512-57, reads:

7. Proposed increase in height and in floor area of subject office bldg. constitutes an increase in aggregate floor area sufficient to require a loading berth. (Increase over 75,000 sq. ft.) Sect. 19-A Zon. Resol."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 96 feet 10 inches in depth, presently occupied by a twelve story building 105 feet frontage by 97 feet in depth on Lot 69, and a five story building 45 feet frontage by 96 feet 10 inches in depth on Lot 67, to be demolished; that it is proposed to extend the present twelve story building located on Lot No. 69 of Block 1278, to nineteen stories in height; that simultaneously, it is proposed to construct a horizontal extension nineteen stories in height, to include Lot No. 67—2-4 East 44th Street—of Block 1278; and

WHEREAS, the applicant states that on Plot Plan filed with this application, lots 1, 67 and 69 of block 1278 are shown separately; that the vertical extension of the present building on lot 69 will develop a main roof height of plus 233 feet 6 inches from the datum of lot 69 and the main roof of the nineteen story extension on lot 67 will be carried to the same height; that however, the roof bulkheads, which will contain the elevator machine room, the cooling tower and a domestic water supply tank will, in a limited area, be carried to a height of 262.67 feet above the datum of lot 69, which is 260.69 feet above the datum of lot 1; and

WHEREAS, the applicant also states that lot 67 was originally included with lot 1 for the purpose of computing the

tower area by Resolution of the Board under Cal. No. 741-27-BZ for the tower of the 37 story and penthouse building on lot 1, which reads as follows: "Whereas the tower area percentage is based on the entire plottage, including lot 1 and lot 67 in block 1278, and shall be so maintained"; that further reference is again made to Resolution Cal. No. 741-27-BZ, as follows: "and this portion of the plot on 44th Street Front" (Lot 67 on Block 1278) "shall be limited in height to the restrictions for this street front as provided in the zoning resolution"; that above the 23rd floor level of the building on lot 1—height of 263.88 feet above the datum of lot 69, which is 261.90 feet above the datum of lot 1—the tower area conforms with the Resolution under Cal. No. 741-27-BZ; that the proposed construction on lot 67 will terminate at a height of 262.67 feet above datum of lot 69, which is 260.69 feet above the datum of lot 1, and conforms to the restrictions for this street front—44th Street—as provided in the zone resolution; and

WHEREAS, the applicant contends that the purpose of the foregoing portion of the appeal is to obtain a Certificate of Occupancy for the proposed improvements on lots 67 and 69, independent of a Certificate of Occupancy for the building on lot No. 1; and

WHEREAS, the applicant states that the present owners have held title to the property since April 29, 1938 and May 31, 1945; that the assessed valuation of land is \$2,290,000 and of the building \$895,000 making a total of \$3,185,000; that the building was erected in 1905 and 1907; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board has considered the Objection of the Building Department, Objection No. 7, Objection No. 6 having been taken care of under Cal. No. 38-58-BZ. As to a loading berth, the Board has concluded that the area of the building "as used" should be taken as the net usable area of the building and not as the gross, and on this interpretation it is the Board's opinion that the loading berth is not required; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion by the Board to omit an unloading berth under the terms of Section 19 J of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under 19A *on condition* that the building shall be used only for office work and not for sale or storage or display of merchandise and there shall be no storage of any tenants in the building requiring daily trucking, except such trucking as may be required for regular cleaning operations, which shall be done at night; that no office furniture or any other equipment shall be moved into the building except at night, after six p.m. and before eight a.m.; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as amended under Cal. No. 38-58-BZ and the previous resolution of Cal. No. 741-27-BZ; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

61-58-BZ

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.

SUBJECT—Application February 19, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a G area district, the erection of a one family dwelling that encroaches on the required setbacks in the front and side yards.

PREMISES AFFECTED—49-04 Hanford Street, west side, 365.83 feet north of 51st Avenue, Block 8167, Lot 92, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hanford Street, Maryland Road and Carolina Road are in a residence use, G Area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 10, 1958 acting on N.B. Applic. No. 125-58, reads:

"1. The proposed building in a G district is being erected less than 20 feet to the street line of the street on which it fronts and is therefore contrary to Art. IV Sec. 16B, Par. b of the Zone Law.

2. The proposed building in a G District is being erected nearer than 10 feet to a side lot line and is therefore contrary to Art. IV Sec. 16B Par c of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 74.96 feet frontage by 83.97 feet in depth, irregular, presently vacant; that it is proposed to erect a one family dwelling thereon; and

WHEREAS, the applicant states that the present owner purchased this land from The City of New York for the sum of \$4,550 plus incidental title costs of \$350; that as to Objections 1 and 2 issued by the Borough Superintendent, the topography of the land is such that there is a drop of approximately 40 feet in elevation from street level to the rear of the plot; that the rear of this land abuts upon a proposed section of Alley Pond Park; that this part of the park is at the present time a bog, and at an elevation much lower than the subject property; that to build this parcel at the legal grade would require extensive foundations, retaining walls, huge quantity of fill and other costly construction expense which would make the whole venture economically unsound and render impossible the utilization of this plot; that this would result in a total financial loss; that a diminution of the setback requirements is requested in front and side yards in order to most advantageously utilize existing grade conditions and to keep the house as high as possible; that to set the house back further would increase the drop off in front yard and driveway and greatly increase height of foundation walls; that to move the house further away from the proposed southern side yard would entail excessive fill, matting and foundation walls on both the garage side and living room side, as the present grade drops sharply away towards the north and west; and

WHEREAS, the applicant contends that the setbacks and sideyards of this proposed building are approximately the same as the other houses along this side of the street, and in no way will the proposed home deteriorate the nature of the neighborhood; that due to the difference in elevation of the land and its sharp gradation, the arrangement of the proposed structure is the only feasible and practical method of a developing this plot; that in the past this lot has been used as a dumping ground, but the contemplated building will help beautify and enhance values in the area as well as increase the tax revenue to the City; and

WHEREAS, the applicant states that the present owner has held title to the property since December 18, 1957 and that the assessed valuation of land is \$1,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application be granted subject to conditions; and

WHEREAS, the Board finds that the dwelling will be livable even though not in strict accordance with the requirements; with its outlook over Alley Pond Park; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it is hereby is *granted* under Section 21, to permit the erection of the proposed one-family residence on the plot, as proposed and indicated on plans filed with this application, marked "Received February 28, 1958", 1 sheet, and "May 14, 1958", 6 sheets, *on condition* that the building and occupancy shall comply with all laws, rules and regulations applicable thereto, except that the front yard shall not be less than the distance from the building to the present street line as proposed and indicated on such plans, and that the side yards on either side shall be not less than ten feet each; that in the event a portion of the plot is taken for the proposed street widening of Hanford Street, recompense for same shall be as determined by the Court; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

62-58-A

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.
SUBJECT—Application February 19, 1958—filed pursuant to section 35, General City Law re proposed stairs and walks in bed of a mapped street and a decision of the Borough Superintendent re ceiling height and garage level.

PREMISES AFFECTED—49-04 Hanford Street, west side, 365.83 feet north of 51st Avenue, Block 8167, Lot 92, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated February 10, 1958 on N.B. Applic. 125-58, reads:

"3. More than 50% of the story height between the 1st floor and ceiling is below the level of the nearest point of the nearest curb and is therefore considered unlivable and is contrary to Art. VI, Section C-26-258.0 of the Administrative Code.

4. The proposed finished floor level of garage is more than 18 inches below the established street grade and is therefore contrary to Art. 15, Section C26-1221.1 of the Administrative Code.

5. The proposed stairs and walks in front of the building are in the bed of a mapped street and is therefore contrary to General City Law, Art. 3, Section 35."

and

WHEREAS, the applicant states that the premises consist of a lot 74.96 feet front by 93.97 feet average in depth, located in a residence use, G area, class ½ height district, upon which it is proposed to erect a two story, 32 foot high, class 4 constructed building, 55 feet 10 inches front by 34 feet 8 inches in depth for use as a one family dwelling with one car accessory garage; and

WHEREAS, the applicant contends as to Objection 3 issued by the Borough Superintendent, that the area to the rear of the plot cannot be built upon except as a park; that the future park is so far below the grade of the lot in question as to afford a continuous unobstructed view permitting ample light and air; that for all practical purposes the part of the building below grade will be so far above the grade continuing to the rear that it will forever enjoy adequate light and ventilation; and

WHEREAS, the applicant contends as to Objection 4, that in order to maintain a reasonable driveway grade and minimize

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foundation work, the garage will be more than 18 inches below street grade; that since the plot drops away sharply and the drainage is essentially unchanged from present conditions, it is simple to drain the driveway along the natural slope and no water problem will ensue; that there will be no change in the fall off nor drainage to adjacent property due to the proposed construction; and

WHEREAS, the applicant contends as to Objection 5, issued by the Borough Superintendent that the only use being made of the portion of the plot within the mapped street widening is for steps to gain access to a walk leading to the entrance to the building; that it is proposed that if at any time the city widens Hanford Street, the owner will relocate the steps and entrances at her own expense and will not seek damages or disbursements therefore from the city; that due to the difference in elevation of the land and its sharp gradation, the arrangement of the proposed structure is the only feasible method of developing this plot; and

WHEREAS, the Board has been advised by the Borough President that Hanford Street as indicated at a width of 50 feet and the grades were established on the Final Maps known as Alteration Map No. 3211 adopted by the Board of Estimate, November 20, 1952 under Calendar Number 251; that there is an indicated widening of about 10 feet on easterly and westerly sides of Hanford Street; that there are no proceedings now pending to acquire title to this proposed widening; that from the elevation indicated on the plan when the street is ultimately widened, it will be impossible to use the garage; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions; and

WHEREAS, the Board finds that the dwelling will be livable even though not in strict accordance with the requirements with its outlook over Alley Pond Park.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 125-58, Objection Nos. 3, 4 and 5 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the premises, the level of the garage floor and the erection of stairs and walks within the bed of the mapped street, as proposed and permitted to be constructed under the requirements of the resolution adopted by the Board this day under Cal. No. 61-58-BZ; and that to divert the street water from the premises, there shall be constructed a rise at the entrance of at least 8 inches, before the driveway slopes downward to the garage floor level; that the building and occupancy in all other respects shall comply with all laws and rules applicable thereto.

63-58-BZ

APPLICANT—Stanley J. Shaftel, for Sylvia Kaye, owner.
SUBJECT—Application February 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the erection of a one family dwelling that encroaches on the required setbacks in the front and side yards.

PREMISES AFFECTED—48-18 Hanford Street, west side, 440.79 feet north of 51st Avenue, Block 8167, Lot 85, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning

Resolution show that the site, Hanford Street, Maryland Road and Carolina Road are in a residence use, G area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 10, 1958 acting on N.B. Applic. No. 126-58, reads:

"1. The proposed building in a G district is being erected less than 20 feet to the street line of the street on which it fronts and is therefore contrary to Art. IV Sec. 16B Par. b of the Zone Law.

2. The proposed building in a G district is being erected nearer than 10 feet to a side lot line and is therefore contrary to Art. IV Sec. 16B, Par. c of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 90 feet frontage by 106.55 feet in depth, irregular; that it is proposed to erect a one family dwelling for the owner's use; and

WHEREAS, the applicant states that the present owner purchased this land from The City of New York for the sum of \$4,550 plus incidental title costs of \$350, with the intention of building a house for her own use; that as to Objections 1 and 2 issued by the Borough Superintendent, the topography of the land is such that there is a drop of approximately 40 feet in elevation from street level to the rear of the plot; that the rear of this land abuts upon a proposed section of Alley Pond Park; that this part of the park is at the moment a bog and at an elevation much lower than the subject property; that to build this parcel at the legal grade would require extensive foundations, retaining walls, huge quantities of fill and other costly construction expense which would make the whole venture economically unsound and render impossible the utilization of this plot; that this would deprive the owner of the use of the land and result in total financial loss; that a diminution of the setback requirements is requested, in front and side yards, in order to most advantageously utilize existing grade conditions and to keep the house as high as possible; that to set the house back further would increase the drop off in front yard and driveway and greatly increase height of foundation walls; that to move the house further away from the proposed northern side yard would entail excessive fill, matting and foundation walls on both the garage side and living room side, as the present grade drops sharply away towards the south and west; and

WHEREAS, the applicant contends that the setbacks and side yards of this proposed building are approximately the same as other houses along this side of the street and will in no way deteriorate the nature of the neighborhood; that due to the difference in elevation of the land and its sharp gradation, the arrangement of the proposed structure is the only feasible and practical method of developing this plot; that in the past this lot has been used as a dumping ground but the contemplated building will help beautify and enhance values in the area, as well as increase the tax revenue to the City; and

WHEREAS, the applicant states that the present owner has held title to the property since December 18, 1957 and that the assessed valuation of land is \$1,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted subject to conditions; and

WHEREAS, the Board finds that the dwellings will be livable even though not in strict accordance with the requirements; with its outlook over Alley Pond Park.

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, to permit the

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erection of the proposed one-family dwelling on the plot, as proposed and indicated on plans filed with this application, marked "Received February 28, 1958", 1 sheet and "May 14, 1958", 6 sheets, *on condition* that the building and occupancy shall comply with all laws, rules and regulations applicable thereto, except that the front yard shall be not less than the distance from the building to the present street line as proposed and as indicated on such plans and that the side yards on either side shall be not less than ten feet each; that in the event a portion of the plot is taken for the proposed street widening of Hanford Street, recompense for same shall be as determined by the Court; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

64-58-A

APPLICANT—Stanley J. Shaftel for Sylvia Kaye, owner.
SUBJECT—Application February 19, 1958—filed pursuant to section 35, General City Law re Stairs and Walks in bed of mapped street and a decision of the Borough Superintendent re height of ceiling and garage level.

PREMISES AFFECTED—48-18 Hanford Street, west side, 440.79 feet north of 51st Avenue, Block 8167, Lot 85, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Stanley J. Shaftel.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated February 10, 1958 on N.B. Applic. 126/58, reads:

"3. More than 50% of the story height between the 1st floor and ceiling is below the level of the nearest point of the nearest curb is therefore considered unliveable and is contrary to Art. VI, Section C26-258.0 of the Administrative Code.

4. The proposed finished floor level of garage is more than 18 inches below the established street grade and is therefore contrary to Art. 15, Section C26-1221.1 of the Administrative Code.

5. The proposed stairs and walks in front of the building are in the bed of a mapped street and is therefore contrary to General City Law, Art. 3, Section 35."

and

WHEREAS, the applicant states that the premises consist of a lot 90 feet front by 106.55 feet average in depth located in a residence use, G area, Class ½ height district, upon which it is proposed to erect a two story building, 33 feet in height, class 4 construction, 70 feet front by 34 feet 8 inches in depth, for occupancy as a one family dwelling with car accessory garage; and

WHEREAS, the applicant contends as to Objection 3 issued by the Borough Superintendent, that the area to the rear of the plot cannot be built upon except as a park; that the future park is so far below the grade of the lot in question as to afford a continuous unobstructed view permitting ample light and air; that for all practical purposes the part of the building below grade will be so far above the grade continuing to the rear that it will forever enjoy adequate light and ventilation; and

WHEREAS, the applicant contends as to Objection 4, that in order to maintain a reasonable driveway grade and minimize foundation work, the garage will be more than 18 inches below street grade; that since the plot drops away sharply and the drainage is essentially unchanged from present conditions, it is simple to drain the driveway along the natural slope and no water problem will ensue; that there will be no change in the fall off nor drainage to adjacent property due to the proposed construction; and

WHEREAS, the applicant contends as to Objection 5, issued by the Borough Superintendent, that the only use being made of the portion of the plot within the mapped street widening is for steps to gain access to a walk leading to the entrance to the building; that it is proposed that if at any time the city widens Hanford Street, the owner will relocate the steps and entrances at her own expense and will not seek damages or disbursements therefore from the city; that due to the difference in elevation of the land and its sharp gradation, the arrangement of the proposed structure is the only feasible method of developing this plot; and

WHEREAS, the Board has been advised by the Borough President that Hanford Street as indicated at a width of 50 feet and the grades were established on the Final Maps known as Alteration Map No. 3211 adopted by the Board of Estimate, November 20, 1952 under Calendar Number 251; that there is an indicated widening of about 10 feet on easterly and westerly sides of Hanford Street; that there are no proceedings now pending to acquire title to this proposed widening; that from the elevation indicated on the plan when the street is ultimately widened, it will be impossible to use the garage; and

WHEREAS, the premises were inspected by a Committee of the Board, which recommended that the appeal be granted under certain conditions; and

WHEREAS, the Board finds that the dwelling will be liveable even though not in strict accordance with the requirements with its outlook over Alley Pond Park.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 126/58, Objection No. 3, 4 and 5, be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the premises, the level of the garage floor and the erection of stairs and walks within the bed of the mapped street, as proposed and permitted to be constructed under the requirements of the resolution adopted by the Board this day under Cal. No. 63-58-BZ; and that to divert the street water from the premises, there shall be constructed a rise at the entrance of at least 8 inches, before the driveway slopes downward to the garage floor level.

105-58-BZ

APPLICANT—Louis Lieberman, for Bernard Isacowitz, owner.

SUBJECT—Application February 27, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of an existing accessory garage, on a lot with a two-story dwelling, that encroaches on the required five (5) foot setback from the lot line.

PREMISES AFFECTED—138 Beach 149th Street, east side, 596 feet south of Rockaway Beach Boulevard, Block 788, Lot 43, Neponsit, Borough of Queens.

APPEARANCES—

For Applicant: Louis Lieberman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Beach 149th Street, Rockaway Beach Boulevard and Ocean Promenade are in a residence use, G area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent,

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dated February 19, 1958 acting on Alt. Applic. No. 567-55, reads:

"1. A garage less than 5'-0" from a lot line in a "G" district is contrary to Sec. 16-B of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 63 feet frontage by 100 feet in depth; and

WHEREAS, the applicant states that the building was erected under N.B. Applic. No. 6744-47 as a one car garage accessory to building on the plot; that on September 23, 1948 a Certificate of Occupancy was issued for the garage and building and shortly thereafter the property was sold by the builder to the present owner; that subsequent to the purchase of this property, a zoning violation was placed by the Building Department, since the garage building was erected two and one-half feet from the side lot line, instead of five feet as required by the Zoning Resolution; and

WHEREAS, the applicant contends that the present owner purchased this property in good faith, relying upon the Certificate of Occupancy as an indication that the building complied with all governing laws; that if the garage could be relocated to be five feet from the side lot line, it would be almost impossible to drive a car in and out of the garage due to the position of the main structure in relation to the garage; that relocating said garage would render a hardship upon the owner; that the only persons affected by this violation is the owner of the subject premises and the owner of the adjacent property, which has a similar condition, and will not affect the light and ventilation and the rear yards of the adjoining properties; that this condition will in no way be detrimental to the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since October 1948; that the assessed valuation of land is \$3,000 and of the building \$14,000 making a total of \$17,000; that the building was erected September 21, 1948; and

WHEREAS, under Calendar 866-54-A the Board on April 12, 1955, granted the application of the Borough Superintendent to revoke Certificate of Occupancy #49684/48 on the grounds that the garage was actually constructed approximately 2 feet 8 inches from the south lot line in lieu of the 5 feet from the side lot line, as indicated on approved plans under N.B. Applic. 6744/47; and

WHEREAS, this action of the Board to revoke the certificate of occupancy was taken after the appeal had been laid over at the request of the representative of the owner, to file an application for zoning variance and had not filed such an application or appeared on behalf of the owner at the date of decision; and

WHEREAS, the situation herein involved in this application for variance is similar to that involved in application for variance granted by the Board under Calendar 213-56-BZ, affecting 144 Beach 149th Street, Block 788, Lot 45, after such application for variance was filed, subsequent to the revocation of Certificate of Occupancy Q49685 by the Board April 12, 1955; and

WHEREAS, the Certificate of Occupancy for this building was revoked by the Board at the request of the Borough Superintendent under Cal. No. 866-54-A on April 12, 1955; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the location of the accessory garage as proposed and as indicated on plans filed with this application marked "Received February 27, 1958", 3 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all

permits shall be obtained and all work completed within six months from the date of this resolution and a certificate of occupancy shall be obtained.

107-58-BZ

APPLICANT—Frederick A. Ketcher, for Rayco Corporation, owner; Flatbush Rayco Inc., lessee.

SUBJECT—Application March 6, 1958—decision of the Borough Superintendent, under sections 7c, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, a permanent variation to permit the installation of auto seat covers and minor motor vehicle repairs with hand tools, limited to muffler and tailpipe installation and service and a temporary variation to permit the parking of more than five (5) motor vehicles for patrons.

PREMISES AFFECTED—2385 Flatbush Avenue and 1953-1961 East 51st Street, southeast corner, Block 8529, Lot 7, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 51st Street and East 52nd Street are in business and residence use, D area, class 1 height districts; Flatbush Avenue is in a business use, D area, class 1 height district; Avenue S is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, date February 24, 1958 acting on N.B. Applic. No. 68-58, reads:

"1. Proposed building and premises, partly in a business and partly in a Residence Zone, to be used for installation of auto seat covers and minor motor vehicle repairs with hand tools only limited to muffler and tail pipe replacement and service and parking for more than 5 cars for patrons only, is contrary to Art. II, P. 3 and P. 4a, subsection 29 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 98 feet and 20.55 feet frontage by 108 feet and 124 feet in depth; that it is proposed to erect a one story masonry building on the corner, with face brick on Flatbush Avenue and East 51st Street, fire retard the ceiling and install two modern safety lifts; that it is further proposed, for the patron parking, to grade the plot to the curb level, surface it with steam cinders with a suitable binder and properly rolled; that it is also proposed to erect a 5 foot 6 inch high chain link fence along all property lines, except along the south lot line, and provide substantial bumpers; that the muffler and tail pipe installation service will be an accessory use to the auto seat cover installation service; and

WHEREAS, the application states that the building is entirely in the business use district; that all work will be done inside of the building; that because of the small area, only two cars can be serviced at any one time; that the area allotted to muffler service is only 700 square feet, which is less than 5% of the area of the plot; that it will not be a motor vehicle repair shop as is commonly understood inasmuch as there would be no automotive—moving parts—repairs, no ignition work and no body or fender work; that it would not be a nuisance as there will be no smoke, odor, fumes or noise; that parking will be limited exclusively to patrons and no fees will be charged; that to operate the

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auto seat cover service properly, it is imperative that the public knows that parking space will always be available; that when customers arrive they must leave their cars for service, which they pick up later the same day, and by providing this extra space, potential patrons would always be assured of free and safe parking on the premises; that this off street parking is absolutely essential to the proper conduct of the business and it also definitely minimizes the impact of the additional traffic and eliminates congestion on this corner; and

WHEREAS, the applicant further states that the premises is located on a corner; that to the south is the main Rayco Building operated by the same lessee; that to the east there is undeveloped land and to the west, along 100 foot wide Flatbush Avenue, on both sides north and south within the affected area, 75% of the frontage is allotted to gas stations, automotive, non-conforming and manufacturing uses; that the sole lessee and operator on the entire premises is the Rayco Company and it will be responsible for maintaining the premises and conducting the muffler service, which will be an accessory use to its auto seat cover service; and

WHEREAS, the applicant contends that a grant of this application would enable the owner to make a reasonable and just use of his property without affecting anyone adversely; that the City of New York would stand to benefit by an annual increase in taxes of about \$600; that this proposed building would result in a definite improvement in the general appearance of the premises and will be an asset to the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since February 10, 1956 and that the assessed valuation of land is \$5,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions c and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the extension of use from the business district to the residence district, as proposed and shown on plans filed with this application, marked "Received March 7, 1958", 6 sheets, and "April 2, 1958", 1 sheet, *on condition* that the proposed building shall comply with the requirements of the Building Code; and to permit the parking of motor vehicles belonging to patrons of building to be erected on the premises within the business use district, as shown on such plans; that under section 7i, there may be minor repairing consisting of the installation of auto seat covers and muffler and tailpipe installations and other minor repairs and service; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

108-58-BZ

APPLICANT—Samuel Rosenblum, for Yadbob Realty Corp., owner; Samoroff Building Inc., lessee.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, in an existing three-story building, the change in use of the first floor from non-storage garage for five (5) cars to garage, photographic studio and darkroom and to continue the use of the second and third floors as dwellings.

PREMISES AFFECTED—172 East 73rd Street, south side, 175 feet west of 3rd Avenue, Block 1407, Lot 44, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; East 73rd Street and East 72nd Street are in residence, retail and restricted retail use, B area, class 1½ height districts; Lexington Avenue is in a restricted retail use, B area, class 1½ height district; Third Avenue is in a retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 27, 1958 acting on Alt. Applic. No. 209-58, reads:

"1. Proposed garage, photographic studio and dark room located in a residence use district is contrary to Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 102 feet 2 inches in depth, upon which is located a building three stories in height, erected in 1889 for use as stable, carriage house and dwelling; that the first floor was converted to a garage before 1916; that this block—East 73rd Street—was zoned unrestricted at the time of the adoption of the Zoning Resolution; that it is now proposed to use the first floor for a photo studio, dwelling above and one car, that of the owner, to be kept on the premises; that a small cellar is to be created at front for storage purposes and a mezzanine in the rear of the first floor for dark room purposes; and

WHEREAS, the applicant states that in 1919, under plans approved by the Fire Department and the Bureau of Buildings, a 275 gallon gasoline tank was installed in accordance with regulations under Alt. Applic. No. 1980-18; that when the work was completed, Certificate of Occupancy No. 1220-1919 was issued for garage on first floor and dwelling above; that permits have been issued regularly by the Fire Department for the storage garage and garage for ten cars, the latest renewal having been No. 44037 expiring December 5, 1952; that in 1954 the storage of gasoline was discontinued, the tank sealed in accordance with Fire Department regulations, and permits issued for a non storage garage for five cars, the latest permit expiring November, 1957; that at the present time there are many uses which would be classed as non conforming on this block; that at No. 182 is a five story garage, at 177-179 there is also a five story garage and there are also garages on the first floor at No. 174, No. 180 and No. 168; that No. 172 has been in almost continuous use for garage purposes to the present date; that this block was rezoned February 2, 1928 from unrestricted to residence use; that as the previous use was in accordance with approved plans, permits and Certificates of Occupancy, it has continued to date as a garage; and

WHEREAS, the applicant contends that this proposed use is far less onerous than the previous heretofore approved use for garage purposes; that it is not intended to alter the front of the the building; that the prospective tenant has entered into a contract for purchase of the premises and intends to alter the building as indicated on plans filed with this appeal; that in connection with the photographic work, this is not to be a regular photographic gallery; that it is not intended for the public to come in to have pictures taken, but is a private studio for photos to be taken for editorial work and magazine articles; that the premises have been in continuous use for garage purposes for over 40 years; that the alteration is limited to make the interior suitable for photographic work and that the front of the building will not be changed, nor any showroom store front provided;

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that the upper floors will be used for dwelling as heretofore; and

WHEREAS, the applicant states that the present owner has held title to the property since July 27, 1954; that the assessed valuation of land is \$30,000 and of the building \$15,000 making a total of \$45,000; that the building was erected in 1889; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, for a term of five years, to permit the continuation of the photograph studio and the use of the second and third floors as dwellings, as now existing, and as proposed to be continued with space for one car only and no gasoline dispensing system, and as shown on plans filed with the application, marked "Received March 10, 1958", 5 sheets, and "May 7, 1958" one sheet, *on condition* that the building shall not be increased in height or area and shall comply with all laws rules and regulations applicable thereto; and that a Certificate of Occupancy shall be obtained within six months of the date of this resolution.

128-58-BZ

APPLICANT—Charles M. Spindler, for Robert Miller, owner; Esso Standard Oil Co., lessee.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, auto laundry—non automatic, office, sale of accessories, minor repairs for adjustments with hand tools only, safety inspection station and parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—285-303 Oakland Street, west side, from India Street to Java Street, Block 2541, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Oakland Street are in a business use, C area, class 1¼ height district; India Street and Java Street are in business and residence use, C area, class 1¼ height districts; Manhattan Avenue is in a business use, C area, class 1¼ height district; that the zoning designations have not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated February 27, 1958 acting on N.B. Applic. No. 216-58, reads:

"1. Proposed building and premises in a Business Zone, to be used for gasoline service station, lubrication, auto washing (non-automatic), office, sales of accessories, minor repairs with hand tools only for adjustments, safety inspection station, parking and storage of motor

vehicles is contrary to Art. II, PP. 4a, subsections 29 and 46 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 35 feet 7 inches frontage by 200.23 feet in depth; that it is proposed to develop the site with a modern gasoline service station building; that the proposed accessory building will be erected on the southerly end of the plot, with face brick on all three sides and will be a typical Esso Oil Company building; that it is also proposed to place shrubbery adjacent to the building on the India Street frontage, which will be protected by a 6 inch by 8 inch concrete curb; that three curb cuts will be provided on Oakland Street and one curb cut, complying with Section 7A, will be installed on India Street; that there will be erected on the westerly lot line, where walls do not occur, a five foot high woven wire fence on a six inch concrete curb, with total height of 5 feet 6 inches; that the proposed approved low type gasoline pumps will be set back 15 feet from the building line; and

WHEREAS, the applicant states that Oakland Street leads directly to and from the newly constructed Oakland Street Bridge leading to Long Island City; and was widened recently approximately 40 feet on the westerly side and this plot is the remainder of the former 75 foot deep lots on the westerly side of the street; that the Board has recently granted gasoline station permits for the block front north of the proposed site between India and Huron Streets, block 2533, lot 33, and also the block front between Huron and Green Streets, block 2523, lot 31; and

WHEREAS, the applicant contends that Oakland Street is a very heavily traversed motor vehicle artery and there is a demand for a gas station, particularly of the type that would be under the control and operation of a major oil company; that there would be no economic demand for a factory type of building due to the shallowness of the plot; that the accessory building would occupy but a small percentage of the lot and would permit more light and ventilation than would a permissive multi-storied building; that there is a predominance of automotive uses on Oakland Street both on the west side and on the east side; that this parcel was sold in an In Rem proceeding, which indicates that it would not be feasible to improve the property with a conforming use; and

WHEREAS, the applicant states that the present owner has held title to the property since January 22, 1957 and that the assessed valuation of land is \$11,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee reported that the application should be granted with conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e, f and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years, to permit the premises to be occupied as a gasoline service station, and uses lawfully accessory thereto, substantially as proposed and indicated on plans marked "Received March 13, 1958", 3 sheets, *on condition* that all uses now on the premises shall be removed and the premises shall be constructed and arranged as indicated on such plans; that the accessory building shall be of the design and arrangement indicated on such plans and faced on exposed sides with face brick; that from the accessory building to the India Street building line there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches, except that such fence may be omitted where buildings exist on the lot line; that pumps shall be of a low approved type erected not less than 15 feet to the Oakland Street building line; that there may be three curb cuts to Oakland Street, each not over 30 feet in width, and one curb cut not over 20 feet in width to India Street; that the sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that the number of gasoline storage

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tanks shall not exceed twelve 550 gallon approved tanks; that signs shall be restricted to one post standard erected at the intersection of Oakland Street and India Street, to support a sign which may be illuminated, advertising only the brand of gasoline on sale, which sign may extend not more than four feet beyond the building line, excluding all roof signs, temporary signs and advertising devices; that the premises where unbuilt-upon shall be paved with concrete or asphalt; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i there may be minor repairing with hand tools only for adjustments, maintained solely within the accessory building; that under section 7e for a similar term there may be parking and storage of motor vehicles and safety inspection under the State Law, provided such parking does not interfere with the servicing of the station; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

172-58-BZ

APPLICANT—Gabriel Nathan, for Arverne Associates, Inc., owner.

SUBJECT—Application March 31, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles to be used in conjunction with that part of the parking lot located in the business use district.

PREMISES AFFECTED—212-220 Beach 70th Street, east side, 100 feet north of Rockaway Beach Boulevard, Block 534, Lot 68, Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Gabriel Nathan and Irving N. Klein.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Beach 69th Street and Beach 70th Street are in business and residence use, D area, class 1 height districts; Rockaway Beach Boulevard is in a business use, D area, class 1 height district; Beach Channel Drive is in a residence use, D area, class 1 height district; that the property was zoned as a business district until December 28, 1939 at which time it was changed to its present residence designation; that a small southerly portion of the plot is in the business use district; and

WHEREAS, the decision of the Borough Superintendent, dated March 13, 1958 acting on Alt. Applic. No. 325-58, reads:

"1. The proposed parking and storage of motor vehicles in a residence use district is contrary to the Zoning Resolution. Article II, Section 3."

and

WHEREAS, the applicant states that the premises consist of a plot, 110 feet frontage by 115 feet in depth; that it is proposed to use the site as an open parking lot for motor vehicles; and

WHEREAS, the applicant states that the property is located in a seasonal resort area with a heavy density of furnished rooms, houses and bungalows; that its proximity to the beach and the Beach 69th Street station makes its use as a parking lot of great value in helping to solve the parking problem; that, in addition, the immediate area is a shopping center and parking space is greatly needed by the shoppers; that in the summer, off street parking is at a premium, not only for summer residents but for the thousands of daily

visitors to the Rockaway beaches; that street parking is prohibited during the season, aggravating the condition; and

WHEREAS, the applicant contends that the use of these premises for a public parking lot will not have an adverse effect, but will instead be of service to the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since May 21, 1951; that the assessed valuation of land is \$7,000 and of the building \$500 making a total of \$7,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7 h for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles limited to the pleasure-car type, substantially as proposed and indicated on plans filed with this application, marked "Received March 31, 1958", 4 sheets, *on condition* that all uses now on the premises shall be removed and the plot leveled substantially to the grade of Beach 70th Street, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type, on a masonry base to a total height of not less than 5 feet, 6 inches, with no openings therein except two to East 70 Street for entrance and egress; that such openings shall be fitted with gates and kept closed except when the parking lot is in operation; that opposite such entrance there shall be curb cuts not exceeding 14 feet in width each; that signs shall be restricted to a permanent sign attached to the fence at each opening, advertising only the parking use, rates charged and such other information as the Commissioner of Licenses may require; that such signs shall not extend beyond the building line, shall not be illuminated or exceed five square feet in area; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed and a certificate of occupancy shall be obtained within six months from the date of this resolution.

173-58-BZ

APPLICANT—Gabriel Nathan, for Helen Nemeth, owner.

SUBJECT—Application March 31, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of an open parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—46-15 to 46-27 (46-21) Rockaway Beach Boulevard, and 202-216 Beach 47th Street, southeast corner, Block 328, Lots 39 and 139, Edgemere, Borough of Queens.

PREMISES AFFECTED—

For Applicant—Mrs. Gabriel Nathan.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Beach 47th Street are in a

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residence use, D area, class 1 height district; Edgemere Avenue and Rockaway Beach Boulevard are in a residence and retail use, D area, class 1 height districts; Beach 44th Street is in a retail use, D area, class 1 height district; that the property was zoned as an unrestricted district until December 28, 1939 at which time it was changed to residence; that height and area districts are unchanged since July 25, 1916; and

WHEREAS, the decision of the Borough Superintendent, dated March 24, 1958 acting on Alt. Applic. No. 441-58, reads:

"1. The parking and storage of motor vehicles in a residence use district is contrary to the Zoning Resolution. Article II Section 3."

and

WHEREAS, the applicant states that the premises consist of a plot, 147 feet frontage by 166 feet in depth; that it is proposed to use the site as an open parking lot for motor vehicles; and

WHEREAS, the applicant states that the property is located in a seasonal resort area and the surroundings contain a great many summer bungalows, particularly in the beach blocks; that off street parking is at a premium in the summer time, not only for the occupants of the bungalows, but for the thousands of visitors; that on street parking is prohibited during the season, aggravating the condition; that there are several factories on Rockaway Beach Boulevard between Beach 49th and Beach 52nd Streets and a large garage for storage of public buses at Beach 49th Street and Rockaway Beach Boulevard; and

WHEREAS, the applicant contends that the use of these premises for a public parking lot will not have an adverse effect, but will instead be of service to the neighborhood; that the granting of this variance will not be detrimental to the general purpose of the Zoning Resolution; and

WHEREAS, the applicant states that the present owner has held title to the property since February 13, 1958 and that the assessed valuation of land is \$8,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for the parking and storage of motor vehicles of the pleasure car type only substantially as proposed and as indicated on plans filed with this application marked "Received March 31, 1958, 4 sheets, on condition that all uses on the premises shall be removed and the premises shall be leveled substantially to the grade of Rockaway Beach Boulevard and Rockaway Freeway and shall be surfaced with steam cinders or clean gravel and treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type not less than 5 feet 6 inches in height including a masonry base with no openings therein except one as shown from Beach 47th Street and one as shown from Rockaway Beach Boulevard which shall be fitted with gates which normally shall be kept closed when the parking lot is not in operation; that proper aisles shall be maintained at all times for easy entrance and egress; that the sidewalks abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that curb cuts may be permitted opposite such entrances as above permitted each not exceeding twelve feet in width; that a sign may be attached to the fence at each entrance not to exceed five square feet, not illuminated and not extending beyond the building line, to advertise the parking and storage use and such other information as the Commissioner of Licenses shall require; that such portable fire-fighting appliances shall

be maintained as the Fire Commissioner shall direct; that all permits shall be obtained and all work completed within six months from the date of this resolution and a Certificate of Occupancy shall be obtained and the requirements of resolution adopted this day under Calendar Number 174-58BZ shall be complied with.

174-58-A

APPLICANT—Gabriel Nathan, for Helen Nemeth, owner.
SUBJECT—Application March 31, 1958—filed pursuant to section 35, General City Law re premises partly in bed of mapped street-proposed widening of Rockaway Beach Boulevard.

PREMISES AFFECTED—46-15 to 46-27 (46-21) Rockaway Beach Boulevard and 202-216 Beach 47th Street, southeast corner, Block 328, Lots 39 and 139, Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Gabriel Nathan.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated March 24, 1958 on Alt. Applic. 441/58 reads:

"2. Secure approval of Board of Standards & Appeals as per Article #3, Section #35 of General City Laws, as part of Premises is located within bed of mapped street."

and

WHEREAS, the applicant states that the premises consists of a lot 147 feet front by 166 feet in depth, located in a residence use, D area, class 1 height district, and proposed to be used for the parking and storage of motor vehicles; and

WHEREAS, the applicant states that the mapped widening of Rockaway Beach Boulevard was adopted June 17, 1926; that to date the city has taken no action towards acquisition of the property necessary for such widening; that the owners feel that they are entitled to full use and enjoyment of their property until such time as the City does take concrete action; that as there is no structure involved except the required fencing and the ground surfacing; that no cost to the City will result in the event of condemnation; and

WHEREAS, the Board has been advised by the Borough President that Rockaway Beach Boulevard is indicated to a width of 75 feet on the Final Maps of the Borough of Queens, adopted by the Board of Estimate and Apportionment on June 17, 1926; that there is in an indicated widening of about 5 feet on the northerly and southerly side of Rockaway Beach Boulevard; that there is no proceeding now pending to acquire title to this proposed widening.

Resolved, that the decision of the Borough Superintendent, acting on Alt App 441-58, Objection No. 2 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the premises for parking as permitted this day under resolution adopted under Cal. No. 173-58-BZ; that in the event a portion of the premises are acquired by the City for street widening recompense for such portion of the premises shall be as determined by the court and fences and curb cuts shall be restored to a similar relation to the premises as herein permitted.

259-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sherwood Management Corp., owner; Lamar Paint Products Co., lessee.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under Sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district for a temporary period of ten (10) years, the use of the present building for wholesale and retail sales and storage

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of paints, painters supplies and varnish in sealed containers.

PREMISES AFFECTED—83-45 Dongan Avenue, north side, 40 feet west of Broadway, Block 1544, Lot 39, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Broadway are in a local retail use, C area, class 1½ height district; Dongan Avenue and Cornish Avenue are in local retail and residence use C area, class 1½ height districts; Doyer Street is in a residence use, C area, class 1½ height district; that as of July 25, 1916 the premises were in a business use district and received the present use designation on April 20, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated April 17, 1958 acting on Alt. Applic. No. 734-58, reads:

"1. Proposed use of wholesale & retail sales and storage of paints, painters supplies and varnishes in sealed containers in a lot located within a local retail use district is contrary to Art. II Sec. 4c of the Zone Law.

2. Proposed show windows, sign and business entrance over 3' 6" in width located within 75' of a residence use district is contrary to Art. II Sec. 7A of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 60 feet frontage by 60 feet in depth, presently developed with a one story building of class 3 construction, having a frontage of 59 feet, a depth of 60 feet, and now boarded up and vacant; that it is proposed to use the present building for wholesale and retail sales and storage of paints, painters supplies and varnish in sealed containers, for a temporary period of ten years; and

WHEREAS, the applicant states that the building was erected under N.B. Applic. No. 1508 of 1921 for use as a Post Office; that no Certificate of Occupancy was ever issued; that work was signed off on October 12, 1921 as completed; that the present show windows and business entrance over 3 feet 6 inches wide and within 75 feet of the residence use district were installed in 1921; that the maintenance of these show windows and business entrance, together with the proposed 2 foot by 15 foot sign are necessary and required for the proper operation of this building for retail sales; and

WHEREAS, the applicant contends that the retail sales, storage of paints, painters' supplies and varnishes in sealed containers is a permissible use in a local retail use district, except for "wholesale"; that the inclusion of the wholesale use cannot possibly affect any of the adjoining property owners inasmuch as the site is adjoined on the north by a non-conforming use of gasoline service station, and on the east by property under the same ownership; that there is also another non-conforming use of gas station in Block No. 1580, Lot No. 1; and

WHEREAS, the applicant states that the present owner has held title to the property since September 30, 1948; that the assessed valuation of land is \$8,000 and of the building \$13,000 making a total of \$21,000; that the building was erected in 1921; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee recommended that the application should be granted; and

WHEREAS, the Board finds that the proposed occupancy in so far as merchandise is to be sold in part at "Wholesale" is not barred in a district zoned for Local Retail Business; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e and A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted as to Objections 1 and 2 under Section 7e and 7A for a term of ten years, to permit the building, formerly a branch post office, to be occupied for the storage and sale of paints, painters' supplies and varnish in sealed containers, substantially as proposed and indicated on plans filed with this application, marked "Received April 23, 1958", 8 sheets, on condition that the building shall not be increased in height or area and shall be put in good structural condition, complying with the requirements for a similar building when erected in a local retail district; and that all permits required, including a certificate of occupancy shall be obtained, and all work completed within six months from the date of this resolution.

Adjourned: 4:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 1, 1958, 2 P. M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

322-40-S—Vol. II

APPLICANT—Arnold A. Arbeit, for 192 Associates, Inc., owner.

SUBJECT—Application reopened February 26, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re egress.

PREMISES AFFECTED—192 Broadway and 1-11 John Street, northeast corner, Block 79, Lot 15, Borough of Manhattan.

APPEARANCES—

For Applicant: Arnold D. Arbeit.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated February 8, 1957, on Alteration Application 1108/56 reads:

"1. Provide two legal means of egress for all tenants, all floors including cellar and sub-cellar. Fire escape is not acceptable as a means of egress in a factory bldg. over 5 stories high." 271 Labor Law

and

WHEREAS, the applicant states that the building is 8 stories and penthouse, 108 feet in height, 20 feet front by 161 feet four inches irregular in depth of fire proof construction, erected in 1888 located in a business use B area, Class 2½ height district, and used and occupied since 1888

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as follows: sub-cellar—engine room and boiler room, 2 persons; cellar—lunch room, 50 persons; first floor—stores, 50 persons; second to eighth floors—offices and factory, 50 persons each floor; that the number of persons at manufacturing not to exceed an average of 10 persons per floor; that the building is provided with one 5 foot wide interior steel and slate stairs enclosed in brick walls, equipped with fire proof self-closing doors and extending from roof bulkhead direct to street and one fire escape extending to roof by stair and to street by stair, windows on the course of the fire escape are fire proof, glazed with wire glass; that in addition there is a fire escape in the rear court extending by gooseneck ladder to roof and with egress from its lower termination to fire proof passage at mezzanine level to balcony with stairs to street; and

WHEREAS, the applicant states that the owners have endeavored to improve the property by renewing the elevators and installing new lobby and entrance; and

WHEREAS, the applicant contends that it would constitute an unjustifiable hardship on the owners to be required to comply with requirements of the amended Labor Law and it is therefore requested that the Board affirm its action taken on the Calendar Number 322-40-S, Volume I; as the conditions and occupancy are substantially the same as when the Board acted on such resolution; and

WHEREAS, Certificate of Occupancy No. 27973, issued August 1, 1941, against Alteration Application 1545/39 permits the following use and occupancy: sub-cellar—boiler room; cellar—stores, 65 persons; first floor—stores, 50 persons; second to eighth floors—offices, salesroom, and light manufacturing, jewelry, repairing watches—custom tailoring, 50 persons each floor; penthouse—superintendent's apartment and office and this certificate contains the note that all occupants at manufacturing are not exceed an average of 10 persons per floor above the second floor as per resolution adopted by the Board under Calendar Number 322-40-S—Vol. I; and

WHEREAS, Violation No. 3850-56 was issued June 4, 1956 in that building does not comply with section 271 of the Labor Law as to egress on all floors; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. App. 1108/56, Objection No. One and that the appeal be and it hereby is *granted, on condition* that the exits to the basement, sub-cellar and cellar, and the occupancy thereof, shall be maintained as shown on plans filed with this appeal marked "Received February 8, 1957", 5 sheets, except that the number of occupants per floor shall not exceed ten at work for a factory; that the exits from the upper floors shall be maintained as shown thereon; that in all other respects the building and occupancy shall comply with the requirements of all laws, rules and regulations applicable thereto; that prior resolutions shall be complied with where not inconsistent with the terms of this resolution.

320-53-A

APPLICANT—Charles M. Spindler, for 42-19 Hunter Street Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—42-25 Hunter Street, south side, 150 feet east of Hunter Road, Block 420, Lot 7, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 16, 1953, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 16, 1953 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted for a term of five years from the date of this *amended* resolution to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 1816/52)

72-58-A

APPLICANT—Leonard F. Rothkrug, Samuel Gardstein and Son, for Irving and Alexander Lifton, doing business as L.B. Electric Supply Co., owners.

SUBJECT—Application February 21, 1958—Appeal from a decision of the Borough Superintendent, re width of stairs and doors, thickness of walls, etc.

PREMISES AFFECTED—5202-5208 New Utrecht Avenue, southwest corner of 52nd Street, Block 5662, Lots 17, 20, 21 and 22, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Samuel Gardstein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated February 13, 1958 on Alt. Applic. 4466 to 4469 of 1957, reads:

"1. Width of stairs, width of passageway and landings, treads and risers, stair enclosure and openings and also stairs to continue to roof all as per Sections 6.4.1.1, 6.4.1.3, 6.4.1.8.4, 6.4.1.8.1 and 6.4.1.11 of Building Code.

2. Width of doors to be 3 feet in width as per Section 6.2.1 of Building Code.

3. Walls of 1st and 2nd floors to be 12 inches thick as per Section 8.4.2.5."

and

WHEREAS, the applicant states that the building is 3 stories, 32 feet 6 inches in height, of class 3 construction, 75 feet 11 inches and 65 feet $\frac{3}{4}$ inch front by 100 feet $2\frac{1}{8}$ inches irregular in depth, erected 1920, located in a business use, C area, class 2 height district, and used and occupied since 1956 as follows: Cellar—ordinary uses and storage; 1st floor—store, 4 persons; 2nd floor—offices, display and dwelling, 6 persons; 3rd floor—3 apartments; that it is proposed to be used and occupied upon completion of the alterations as follows: Cellar—ordinary use and storage, 3 persons; 1st floor—store, 12 persons; 2nd floor—offices, 9 persons and storage, 3 persons; 3rd floor—offices, 6 persons and storage, 3 persons; that all of the storage to be in conjunction with the 1st floor retail store occupancy; that the buildings are provided with 4 interior wood stairs, 2 feet 8 inches and 3 feet in width, enclosed in wood lath and

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plaster and 1 stair is enclosed in fire retarded enclosure equipped with 1-hour fireproof self-closing doors; that in addition there are four fire escapes in the rear, extending to yard by ladder and 1 fire escape extends to street, egress to street from the rear terminus of fire escape is through stairhall; and

WHEREAS, Violation Number 164 was issued January 15, 1958 for altering the 2nd floor by cutting an opening from the party wall between 5204 and 5202 New Utrecht Avenue, removing partitions and installing shelving for stock without filing plans and obtaining a permit therefore; and

WHEREAS, Certificate of Occupancy #55560 was issued April 4, 1929 against Alt. Permit 12350-25 for 5204 New Utrecht Avenue and permitting the following use: Cellar—ordinary use; 1st floor—store; 2nd floor—1 family; 3rd floor—1 family; that Certificate of Occupancy #4227 was issued September 11, 1923 against Alt. Applic. 7870-23 for premises 5208 New Utrecht Avenue and describes the permitted use and occupancy as Bank and 2 families; that Certificate of Occupancy #7365 was issued January 3, 1920 against N.B. Permit 2954-20 for 5218-16 and 14 New Utrecht Avenue, permitting the following use and occupancy; 1st floor—store; 2nd and 3rd floors—1 family each; that total store and 2 families (3 buildings); and

WHEREAS, the applicant states that it is now proposed to occupy the entire 4 buildings conjunctively for storage of lighting fixtures by the owner; that the 2nd and 3rd floors of 3 the buildings are used for accessory storage; that the 2nd and 3rd floors of the corner building will be used for accessory offices and the entire 1st floor of the 4 buildings will be used for sales and display; that no manufacturing is conducted on premises; that the use of the cellars and 1st floors will remain unchanged; that it is proposed to structurally alter the 2nd and 3rd floors of the 3 interior buildings to provide the live load capacity necessary for the storage and use; that the corner building is equipped with 1 newly altered interior stairs, 3 feet wide on the 1st floor and 2 feet 8 inches on the upper floor with fire retarded enclosures extending to the roof by scuttle and ladder and leading directly to street, without any openings to the interior of the 1st floor; that this stair is protected by fireproof self-closing door; that in place of 1 other similar stair a variance is requested to permit the proposed change in occupancy with the existing stairs; that there are 3 existing interior stairs 2 feet 8 inches in width, each leading directly to the street on New Utrecht Avenue and to roof by scuttle and ladder, enclosed in wood lath and plaster, protected on the 2nd floor with 2 feet 8 inch fireproof self-closing doors and with wood doors on the 3rd floor; that in addition there are four fire escapes on the rear leading to the roof of the 1st floor extension and then by goose neck ladder to the sideyard with access to 52nd Street through the fire retarded 1st floor stair enclosure; and

WHEREAS, the applicant contends that the 4 buildings will be used conjunctively so that there will be horizontal egress through openings in the former party walls on all floors; that the unusual number of available exits for the small number of occupants will materially reduce the possible hazard; that the principal use of the building for retail sales of lighting fixtures requires considerable storage to accommodate the bulky but light packages necessary for these supplies; that a maximum occupancy of only 3 persons per floor with a combined storage area is requested; that no sales or display is proposed on the 2nd and 3rd floors; that the number of exits provided for the low occupancy is far in excess of exit requirements; that the combined width of the 3 existing stairs which it is proposed to substitute for the 1 additional required stair is far in excess of requirement; that in addition the four stairways are remotely located and will be accessible by maintenance of proper aisles; that the thickness of the bearing wall for the 1st story is satisfactory under the Code for existing occupancy; that similarly, 8 inch thickness is all that is required for the proposed 3rd story occupancy; that there is an inspector's report in the Department of Buildings, stating that the bearing walls are in good

condition; that the proposed increased live load will have only a negligible effect on the factor of safety; and

WHEREAS, the premises was inspected by a committee of the Board the appeal should be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated February 13, 1958, acting on Alt. App. 4466 to 4469 of 1957 be and it hereby is *modified* and that the appeal be and it hereby is *granted* for occupancy with alterations as proposed *on condition* that fire-doors are furnished in the openings on all stories in the existing subdividing firewall toward the center; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the width of the doors and the thickness of walls shall be as shown on plans marked "Received February 21, 1958", 7 sheets.

281-58-A

APPLICANT—Burke, Green and Groh, for Sidney W. Saks, owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re conversion of frame building to school, re stairways, etc.

PREMISES AFFECTED—84-01 Midland Parkway, east side, 257.07 feet north of Henley Road, Block 9948, Lot 14, Jamaica Estates, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,

Commissioner Kleinert, Commissioner Foley..... 4

Absent: Commissioner Sleeper..... 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 21st, 1958 on Alt. Applic. 584/58 reads:

"1—A building which is partly of masonry and partly of frame constitutes a frame bldg. and the proposed conversion of a frame bldg more than 600 square feet in area and more than one story high to a school is contrary to 4.2.1 of the Bldg. Code.

4—Stairways must have a min. width of 3'-8" as per 6.4.1.1 and must be enclosed as per 6.4.1.1 of the Bldg. Code.

5—Provide cross over for stairways in top story as per 6.4.1.1k(2) of the Bldg. Code.

6—Winding stairways used as a reg'd means of egress are contrary to 6.4.1.4 of the Bldg. Code.

7—Required stairways on 2nd fl. must be remote from each other 6.4.2.4d(5) of the Bldg. Code.

8—Enclosure for central foyer must comply with 10.5.1 of the Bldg. Code."

and

WHEREAS, the applicant states that the building is 3 stories, 28 feet in height of class 4 construction, 75 feet by 84 feet irregular in area, located on a lot 159.12 feet front by 185.89 feet irregular in depth, in a residence use G area, class 1 height district, erected 1928, and used and occupied as a one family dwelling and 3 car accessory garage for which no certificate of occupancy has been issued, it is now proposed to change the use of the building to a private school with an occupancy of 190 persons; that an approved interior fire alarm system will be installed and regular monthly fire drills will be maintained; that there are 2 interior stairs of wood construction enclosed in partitions of studs, lath and plaster; that the front stairs are 3 feet 5 inches wide; that the rear stairs are 2 feet 10 inches wide; and

WHEREAS, the applicant states that the premises has been used as a one family dwelling since its erection under N.B. Applic. 9219/28; that the proposed use of the building as a private school known as Hendel School, now located at 86-90 188th Street; that it is planned to retain the present school

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and use the building in question as proposed as an expansion unit; that it is proposed to pave a portion of the open yard to the south of the building and enclose same with a woven wire fence for use as a playground; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 584/58, Objection No. 1, 4, 5, 6, 7 and 8 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

341-58-A

APPLICANT—Tobias Goldstone, for Young Israel of Flatbush, owner.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re Class III construction, public use, re stairs, etc.

PREMISES AFFECTED—1300-1308 Coney Island Avenue, west side, 320 feet north of Avenue J, Block 6523, Lot 85, Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and Elias Heller.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating,
Commissioner Kleinert, Commissioner Foley and
Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, May 23, 1958 on Alt. Applic. 859/58 and 1476/58 reads:

"1. In the class 3 structures four stories in height (three story and basement) the change in occupancy to public use and the extension of the buildings at rear and sides in class 3 construction for public use is contrary to 4.2.1 of A.C.

"2. The capacity of the two stairs is inadequate for the occupancy based on the number of persons to be provided for under 6.1.2.3.

"Note: Horizontal exits provided do not comply with 6.6.1 (2) in that the area of clear floor space on second floor in the south building is inadequate."

and

WHEREAS, the applicant states that the premises consists of a lot 80 feet front by 100 feet in depth, upon which there are 2 buildings, 20 and 60 feet front by 100 feet in depth at 1st floor, and 90 feet in depth at 2nd floor, 3 stories and basement, 40 feet in height, class 3 construction, erected 1926 and 1927, located in a business use, C area, class 1 1/4 height district, and used and occupied since 1942 and 1949 as follows: Cellar northerly building—boiler room; basement northerly building—storage and shipping room, 4 persons; 1st floor—showroom and stockroom, 104 persons; 2nd floor—furniture gluing and finishing, 2 persons; 3rd floor—upholstering and sewing, 12 persons; southerly building; 1st floor—furniture manufacturing; 2nd floor—storage, that the combined building will be used and occupied as follows: cellar—boiler room; basement—bowling alleys, pool and kitchen, 40 persons; 1st floor—assembly and checkroom, 370 persons; 2nd floor—classrooms and dwelling, 1 family, 248 persons; 3rd floor—classrooms, club rooms and office, 259 persons; that the building will be provided with two 3 feet 8 inch wide interior iron stairs masonry enclosed, equipped with one-hour fireproof self-closing doors and extending from roof bulkhead direct to street; and

WHEREAS, Certificate of Occupancy #46633 issued September 22, 1927 against N.B. Permit #14389/26 for premises 1300 to 1306 Coney Island Avenue, permits the following use and occupancy; cellar—boiler room; basement—pool and turkish room; 1st story—office and lounge rooms; 2nd story—locker rooms; 3rd story—dormitory; that Certificate of

Occupancy #139105 issued April 26, 1954 against Alt. Applic. #4054/49 for the same building permits the following use and occupancy; cellar—boiler room; basement—storage; 1st floor—furniture showroom and offices, 100 persons; 2nd floor—furniture gluing and finishing, 6 persons; 3rd floor—upholstering, sewing and storage, 10 persons; and

WHEREAS, Certificate of Occupancy #46334 issued September 22, 1927 for 1308 Coney Island Avenue against N.B. Permit #236/27 permits the following use and occupancy; basement—gymnasium; 1st story—recreation and billiard room, 10 persons; 2nd story—locker room, 10 persons; 3rd story—lounge room, 10 persons; that Certificate of Occupancy #133569 issued October 15, 1952 against Alt. Applic. #4055/49 permits the following use and occupancy for the same building; basement—shipping room and office, 4 persons; 1st floor—office, stockroom and manufacturing, 4 persons; 2nd floor—furniture manufacturing, 4 persons; 3rd floor—furniture storage, 2 persons; and

WHEREAS, Certificates of Occupancy #139105 and #133569 were issued for conjunctive uses, both buildings to be used together; and

WHEREAS, the applicant contends that both buildings were erected as Public Buildings under Section 72-B of the old Building Code and were so occupied until 1942; that on March 1, 1955 the present owner purchased these buildings for religious teachings and recreation facilities; and

WHEREAS, the applicant states that it is proposed to install a 3 foot 8 inch iron stairs within 3-hour enclosure in the north building and install horizontal exits on the 1st, 2nd and 3rd floors and a new 3-hour passageway across the court between north and south buildings; that it is also proposed to erect all partitions as indicated on plans of studs, rock-lath and plaster both sides to create rooms and corridors; that it is proposed to remove the rear wall of the basement story of the south building and erect a brick extension, so that bowling alleys can be installed in the basement; and

WHEREAS, the applicant contends that the ceiling of the basement of the north building is fireproof construction; that all other ceilings throughout both buildings will be covered with rock lath and 3/4 inch plaster; that it is proposed to install a fire alarm system and regular monthly fire drills will be maintained; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 859/58, Objection No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

557-47-A—Vol. III

APPLICANT—Leonard F. Rothkrug, for C & A Breninkmeyer, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution, to include additional area—re Appeal from a decision of the Borough Superintendent—re construction: previously granted on condition.

PREMISES AFFECTED—524-528 Fulton Street, south side, 80 feet 6 inches east of Hanover Place, Block 161, Lots 27 and 34. Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF THE BOARD—Application reopened as Vol. III to consider conclusion and have additional area.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and
Commissioner Sleeper 5
Negative: 0

859-52-A—Vol. II

APPLICANT—Robert Smyth, for Allied Vista Corp., owner.

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SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—23-42, 23-46, 23-52 and 23-58 126th Street, west side, 241.42 ft. 185.17 ft., 128.92 ft. and 72.16 ft north of 25th Avenue (Block 4229, Lots 45, 48, 51 and 53); 126-05 25th Avenue (Block 4229, Lots 45, 48, 51 and 53); 126-05 25th Avenue, northeast corner of 126th Street; 23-45, 23-49, 23-55 and 23-59 126th Street, east side, 197.67 ft., 147.67 ft., 97.57 ft. and 47.67 ft. and 47.67 north of 25th Avenue; 126-15 25th Avenue, northwest corner of 127th Street; 23-24, 23-30, 23-34, 23-40, 23-44, 23-50, 23-54 and 23-60 127th Street, west side, 202-96 ft., 255.63 ft., 315 ft., 262.5 ft., 210 ft., 157.5 ft., 105 ft. and 52.51 ft., north of 25th Avenue (Block 4230, Lots 1, 4, 7 10, 13, 63, 60, 57, 55, 52, 50, 47, 45 and 42); 23-15, 23-19, 23-25, 23-29, 23-35 127th Street, east side, 100 ft., 150.66 ft., 204.06 ft., 257.46 ft., 310.86 ft., south of 23rd Avenue; 23-39, 23-45, 23-49, 23-55 127th Street, north of 25th Avenue (Block 4231, Lots 11, 13, 15, 17, 19, 21, 23, 25 and 27) College Point Borough of Queens

APPEARANCES—

For Applicant: Robert McHugh.

ACTION OF THE BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

763-53-A—Vol. II

APPLICANT—Robert McHugh, for Allied Vista Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—23-14 to 23-60 128th Street, west side, 100 ft., 159.56 ft., 212.96 ft. and 266.36 ft. south of 23rd Avenue and 50 ft., 100 ft. 153.4 ft., 206.8 ft. 260.2 ft. and 313.6 ft. north of 25th Avenue; 23-23 to 23-59 128th Street, east side, 201 ft., 255.23 ft., 309.45 ft. south of 23rd Avenue and 54.22 ft., 108.44 ft., 162-66 ft., 216.88 ft., and 271.10 ft. north of 25th Avenue; 125-16 25th Avenue, southwest corner of 126th Street and 127-15 128th Street; 127-03 25th Avenue, northeast corner of 127th Street; 127-08 25th Avenue, south side, 50 ft. east of 127th Street; 25-07 126th Street, east side, 50 ft. south of 25th Avenue; 25-08 126th Street, west side, 50 ft. south of 25th Avenue 25-05 127th Street, southeast corner of 25th Avenue and 23-59 127th Street, east side, 50 ft. north of 25th Avenue (Block 4231, 1, 40, 43, 45, 48, 50, 53, 55, 58, 60, 63; Block 4232 Lots 6, 8, 10, 13, 15, 18, 30, 32 and 34; Block 4265, Lots 13 and 15; Block 4267, Lots 13 and 15; Block 4269, Lots 12 and 14 and Block 4231, Lots 6 and 9), College Point, Borough of Queens.

APPEARANCES—

For Applicant: Robert McHugh.

ACTION OF THE BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

8-58-A—Vol. II

APPLICANT—Larry Meltzer, for Ariston Quality Exporters, Inc.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a

decision of the Borough Superintendent—re 2nd means of egress; previously denied.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7¼ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF THE BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

361-22-A—Vol. II

APPLICANT—Brooklyn Borough Gas Company, owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—Appeal from orders and a decision of the Fire Commissioner, re foam extinguishing system.

PREMISES AFFECTED—873 Neptune Avenue, north side, 146.90 feet east of West 12th Street, Block 7247, Lots 22, 100, 106, 114, 122, 265 and 320, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lee Alcock.

ACTION OF BOARD—Laid over to July 15, 1958, at 2 P. M. for inspection and decision; hearing closed.

761-57-A

APPLICANT—Sidney Daub, for Broadway Pastry Shop, Inc., owner.

SUBJECT—Application October 24, 1957—Appeal from a decision of the Borough Superintendent, re egress, factory building.

PREMISES AFFECTED—252-254 West 28th Street, south side, 155 feet, 6 inches east of 8th Avenue, 2nd floor; Block 777, Lot 72, Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

ACTION OF BOARD—Laid over to July 22, 1958, at 2 P. M. for inspection and decision; hearing closed.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Atkin and Al Candib.

ACTION OF BOARD—Laid over to July 22, 1958, at 2 P. M. for inspection and decision; hearing closed.

304-58-A

APPLICANT—Paul Trapani, for Florence Trapani, owner.

SUBJECT—Application May 16, 1958—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of sections 171(1) and 172(2) and section 172(3), re Bulk and volume, yard area, etc.

PREMISES AFFECTED—636-644 Burke Avenue, southwest corner of Barker Avenue, 1st floor, Block 4543, Lot 26, Borough of The Bronx.

APPEARANCES—

For Applicant: Paul Trapani.

ACTION OF BOARD—Laid over to July 22, 1958, at 2 P. M. for inspection and decision; hearing closed.

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355-58-A

APPLICANT—Albert B. Bauer, for Department of Public Works, City of New York, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re exits, wood shelves, etc.

PREMISES AFFECTED—112-114 East 96th Street, south side, 165 feet west of Lexington Avenue, Block 1524, Lot 64, Borough of Manhattan.

APPEARANCES—

For Applicant: S. H. Greenhill.

ACTION OF BOARD—Laid over to July 22, 1958, at 2 P. M. for inspection and decision and for applicant to file section showing floor construction; hearing closed.

492-27-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Halward Realty Corp. and Estate of James F. Cummings, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7h of the Zoning Resolution, permitting in a business and residence use district, the combining of an existing gasoline service station with an existing parking lot so that the use will be a gasoline service station and the parking and storage of motor vehicles.

PREMISES AFFECTED—1120-1144 East New York Avenue, south side, from East 98th Street to Rockaway Parkway; 2-12 East 98th Street and 5-21 Rockaway Parkway, Block 4600, Lots 1 and 7, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III on December 17, 1957, on certain conditions; and

WHEREAS, the resolution was amended on March 18, 1958; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, under Vol. III, so as to permit the existing curb cut 20 feet in width on East New York Avenue to continue as proposed and as shown on revised plans marked "Received June 9, 1958", 1 sheet, and as passed on by the Borough Superintendent under Alt. App. 3136/56.

752-29-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, for Walbell Real Estate Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7f of the Zoning Resolution, permitting in a business and unrestricted use district, the erection and maintenance of a building to be used as an automobile showroom, display and sale of auto accessories and parts and motor vehicle repair shop incidental to authorized auto dealer's use and permitting a gasoline service station, for a term of ten years (previously granted by the Board for parking and storage of more than 5 motor vehicles).

PREMISES AFFECTED—8801-8809, 4th Avenue and 402-412 88th Street, southeast corner, Block 6065, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III on December 20, 1949, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 20, 1949 by adding thereto:

"that in the event the new owner, Walbell Real Estate Corporation, desires to change the use of the building from motor vehicle repairing to factory, such change of use may be permitted *on condition* that the requirements of the resolution above cited shall be complied with in all other respects and all openings between this building and the accessory building of the adjoining use at the corner of 4th Avenue and 88th Street shall be bricked up and fences shall be erected where shown on plans filed with this request for amendment, marked "Received May 29, 1958", 4 sheets *on condition* that in all other respects the building and occupancy complies with all laws, rules and regulations applicable thereto, as passed by the Borough Superintendent under all the applications 1103-58, Objection No. 1 under date of April 18, 1958."

290-35-BZ—Vol. II

APPLICANT—Samuel Miller, for Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e, 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, auto washing (non-automatic) lubritorium, office, sale of auto accessories, minor repairs with hand tools only and parking of motor vehicles awaiting service.

PREMISES AFFECTED—489-497 Humboldt Street and 28-36 Herbert Street, southwest corner, Block 2830, Lots 13, 14, 15, 16 and 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating.....1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, by adding thereto:

"that the size of the building may be changed from 45 feet, 4 inches by 28 feet to 46 feet, 2 inches by 28 feet, 8 inches, faced with face brick on all sides with enamel trim on the two street sides; that there may be an additional approved type pump installed facing Humboldt Street, so that there will be three pumps on Humboldt Street and one pump island with two pumps on Herbert Street; all such pumps shall be of the approved type,

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erected not nearer than fifteen feet to the street building line, as shown on revised plans, marked 'Received June 11, 1958', 3 sheets; that in all other respects the resolution above cited shall be complied with." (N.B. 405/57)

277-39-BZ

APPLICANT—Meda A. Perotti and William G. Bradley, owners.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired June 9, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7g of the Zoning Resolution, for a term of years, permitting in a business use district, the maintenance of individual garages for more than five motor vehicles.

PREMISES AFFECTED 25-12 to 25-16 38th Avenue and 38-06 27th Street, southwest corner, Block 387, Lots 19 and 21, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Walter Margulies.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 27, 1939, on certain condition; and

WHEREAS, the term of variance was extended from time to time and last extended on June 9, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 27, 1939 and *amended* by the resolution adopted June 9, 1953 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision f for a term of five years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (Alt. App. 1855/47)

805-41-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Alexander Filenbaum, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of a gasoline service, station, lubricatorium, car wash, minor auto repairs, sales, office and parking and storage of motor vehicles.

PREMISES AFFECTED—66-02 to 66-10 (66-06 official) Rockaway Beach Boulevard and 201-209 Beach 66th Street, northwest corner, Block 398, Lot 107, Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on July 23, 1957, on certain conditions; and

WHEREAS, the resolution was amended on October 29, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work is about to commence that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 4641/56)

605-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Marathon Service Station, Inc., owner; Crawford Service Station, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7c, 7i and 7h of the Zoning Resolution, permitting in a business use district, the demolition of existing gasoline service station, the rebuilding and extension in use and area to include gasoline service station adjoining all to be used as a gasoline service station, lubricatorium, car washing, auto repairs, body and fender work, storage and sale of accessories and office and permitting the parking and storage of motor vehicles.

PREMISES AFFECTED—2616-38 Coney Island Avenue and 755-765 Crawford Avenue, northwest corner and 798-802 Lancaster Avenue, Block 7184, Lots 85, 88, 91 and 92, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III on July 21, 1953, on certain conditions; and

WHEREAS, the resolution was amended on January 29, 1957; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 21, 1953 as thereafter *amended* by resolutions adopted through January 29, 1957 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"that the parking use may be permitted with unlimited time under Section 7c, under which this resolution has been amended; that other than as herein *amended* the resolutions above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained." (NB App. 1549/52)

97-47-BZ—Vol. I

APPLICANT—Elliot Saltzman, for Sydney W. Waxman, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition,

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under section 7f of the Zoning Resolution, permitting in a business use district, the addition of a gasoline service station to existing building on setback fronting on Neptune Avenue, to existing building used as an auto showroom, servicing and repairs, brake testing, wheel alignment, lubrication, parts department, office, storage garage for more than five motor vehicles, trim manufacture, storage warehouse, distribution of drinking soda and offices on 2nd floor (previously granted by the Board for residence and business use district).

PREMISES AFFECTED—13-21 Neptune Avenue and 2771-2803 East 13th Street, northeast corner and 2740-2762 East 14th Street, Block 7487, Lot 22, Borough of Brooklyn.

APPEARANCES—

For Applicant: Elliot Saltzman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. I on July 8, 1947, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on July 27, 1948; and

WHEREAS, the resolution was amended from time to time and last amended on June 22, 1948; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 8, 1947, as thereafter by resolutions adopted through January 13, 1949, by adding thereto:

“that in the event the owner desires to remove from the middle portion of the building the garage use previously permitted, and to substitute the bowling alley thereby reducing the permitted use on the southerly portion of the building where automobile repairs were previously permitted, such change may be permitted as indicated on revised plans marked ‘Received May 29, 1958’, one sheet, *on condition* that the space within the building now proposed to be occupied as bowling alley shall be separated from all other uses in the building by fireproof partitions and there shall be no doors opening to such other uses; that the space proposed to be used for the bowling alley shall be arranged and constructed in accordance with the requirements of the Building Code therefor; that the exits therefrom shall be in accordance with the requirements therefor.” (Alt. App. 1721/58)

230-48-BZ—Vol. II

APPLICANT—H. M. Cole, for Giacom Rosasco, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, permitting in a residence use and local retail district, the extension of the existing business use by construction of an extension on the basement level only, and the rear of the existing building occupying more than the permitted area.

PREMISES AFFECTED—97 MacDougal Street, west side, 99 feet 8¼ inches north of Bleeker Street, Block 542, Lot 52, Borough of Manhattan.

APPEARANCES—

For Applicant: H. M. Cole and Peter Rosasco.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on December 10, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 10, 1957, by adding thereto:

“that in the event the owner desires to excavate under the building, so that the walls will be down to a level below that of the existing cellar floor, such work may be permitted, as indicated on plans filed, marked ‘Received June 10, 1958’, 3 sheets, and as acted on by the Borough Superintendent under Alt. Applic. 447/57, objection dated June 4, 1958, *on condition* that in all other respects the requirements of the resolution above cited shall be complied with.”

396-53-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Morben Properties, Inc. and Long Island Railroad Company, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent, previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business use district, the construction and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, store, storage room and parking and storage of motor vehicles.

PREMISES AFFECTED—68-12 to 68-20 (official 68-20) Queens Boulevard and 46-02 to 46-10 69th Street, southwest corner, Block 2431, Lot 54, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on July 2, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 2, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings and work is about to start, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. 3111/56)

292-54-BZ

APPLICANT—Lama, Proskauer and Prober, for Socony-Vacuum Oil Company, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7h of the Zoning

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Resolution, permitting in a retail use district, the extension in area existing gasoline station to include existing uses of open greasing lift and pit, store for auto accessories and to add the parking and storage of motor vehicles on unbuilt upon portion of plot and the relocation of gasoline pumps on unbuilt upon portion of plot and the relocation of gasoline pumps and addition of new curb cuts.

PREMISES AFFECTED—1231-1253 (1233 official formerly 1138) Hylan Boulevard and 122-132 Parkinson Avenue, northwest corner, Block 3214, Lots 18, 24, and 27, South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 26, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 9, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 26, 1955, as *amended* by resolution adopted on July 9, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings and work is about to start, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (Alt. App. 527/53)

297-54-BZ

APPLICANT—Lama, Proskauer and Prober, for Sylvia Griff, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 18, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 21, 7c and 19A of the Zoning Resolution, permitting in the business use portion of plot located in a residence and business use D area district, the demolition of existing frame structure on Lot 23 and the erection of a new one story extension, using more than the area permitted; and permitting an opening from proposed extension to existing frame structure to construct one large store and permitting a horizontal exit door between two structures and permitting an entrance to a proposed loading area, both located in the residence use portion of plot.

PREMISES AFFECTED—65-61 to 65-65 Grand Avenue and 56-64 to 56-72 Hamilton Place, northwest corner, Block 2719, Lots 21, 22 and 23, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 26, 1954, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on June 18, 1957; and

WHEREAS, the resolution was amended on June 5, 1956; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 26, 1954, as thereafter *amended* by resolutions adopted through June 18, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work is about to start; that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 120/54)

403-54-BZ

APPLICANT—Danko Super Service, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7c and 7A of the Zoning Resolution, permitting in a retail and residence use district, the alteration and extension in area of an existing gasoline service station, auto repair shop and the sale and display of used cars and the additional uses of auto laundry (non-automatic) and parking of motor vehicles awaiting service, with business entrance within 75 feet of the residence use district.

PREMISES AFFECTED—30-51 81st Street, northeast corner of 31st Avenue, Block 1130, Lot 40, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 24, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 9, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 24, 1956, as thereafter *amended* by resolution adopted on July 9, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (Alt. App. 2645/53)

494-55-BZ

APPLICANT—Leonard F. Rothkrug, for Louis Ciervo, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 4, 1958

MINUTES

—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7i of the Zoning Resolution, permitting in a business use district, a proposed 5 car garage and automobile repair shop.
PREMISES AFFECTED—67-69 Avenue U, north side, 40 feet east of West 11th Street, Block 7095, Lot 47, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 15, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 4, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 15, 1956, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings and work has commenced, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (Alt. App. 313/54)

679-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Pauline and William Hinderstein, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, permitting in a residence use district, the proposed erection of a structure for storage stores, loading and unloading, parking for patron's cars (no fee to be charged).

PREMISES AFFECTED—13-55 to 13-63 Beach Channel Drive and 2201-2217 Bidsall Avenue, southwest corner, Block 158, Lot 14, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 10, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 9, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 10, 1956 as thereafter amended by resolution adopted July 9, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed

within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 3035/55)

719-55-BZ

APPLICANT—Lama, Proskauer and Prober for Isaac V. Cohen, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking and storage of motor vehicles.

PREMISES AFFECTED—1202-1224 Prospect Avenue, east side, 180 feet north of Stebbins Avenue and 1153-1163 Stebbins Avenue, Block 2693, Lot 12, Borough of The Bronx.

APPEARANCES—

For Applicant: Kenneth W. Milnes.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 24, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work extended on July 9, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 24, 1956 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have not yet been approved by the Department of Buildings, but are now being examined, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 1066/55)

615-56-BZ

APPLICANT—Max Siegel Associates, for Hotel Springfield Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence use and C area district, the construction of a one story building to be used as a super-market and occupying more than the permitted area.

PREMISES AFFECTED—252-258 Bleeker Street and 1-5 Leroy Street, northwest corner, Block 586, Lots 67-71 inclusive, Borough of Manhattan.

APPEARANCES—

For Applicant: John Hronec.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice-Chairman Keating 1

MINUTES

THE RESOLUTION—

WHEREAS, this applicant was granted by the Board on July 9, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 9, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 121/56)

719-56-BZ

APPLICANT—Kenneth W. Milnes, for Trusin Corp. and Arthur Helder, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 25, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7f, 7i and 7A of the Zoning Resolution, permitting in a retail and residence use district, the construction and maintenance of a gasoline service station, office, sales, car wash (non-automatic) minor repairs with hand tools only, lubritorium and with curb cuts and business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—2525 Victory Boulevard, north-west corner of Willowbrook Road, Block 1521, Lot 1, Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 25, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work has been started, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 732/56)

24-57-BZ

APPLICANT—Charles M. Spindler, for Ethel Gordon, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7h of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, body and fender repairs, lubrication, car

wash, incidental paint spraying and welding, auto repairs, wheels alignment, safety inspection and parking and storage of motor vehicles.

PREMISES AFFECTED—2064-2072 Atlantic Avenue and 319-323 Howard Avenue, southeast corner, Block 1432, Lots 1, 2, 3 and 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 23, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and an extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957, by adding thereto:

"that the arrangement of the station may be changed as indicated on revised plans, marked 'Received June 13, 1958', 2 sheets; that the number of gasoline storage tanks shall not exceed twelve 550 gallon tanks; that there may be an additional 30 foot curb cut on the Howard Avenue side; that there may be a post standard for supporting a brand sign on the east lot line of Atlantic Avenue where shown; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. 2279/56)

32-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Gulf Oil Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7h of the Zoning Resolution, permitting in a retail and residence use district, the reconstruction and maintenance of a gasoline service station, car wash, minor auto repairs, office and storage, lubritorium, parking and storage of motor vehicles, erection of a diner and parking of patron's cars (no fee).

PREMISES AFFECTED—1701-1711 (1705-1709 official) Richmond Avenue and 2974-2994 Victory Boulevard, southeast corner, Block 2070, Lot 42, Bulls Head, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 25, 1957, on certain conditions; and

WHEREAS, the resolution was amended on February 11, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1957, as thereafter *amended* by resolution adopted on February 11, 1958, only as to the time within which to obtain permits and

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MINUTES

complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."
(N.B. App. 1062/56 and 1063/56)

910-42-BZ—Vol. II

APPLICANT—Joseph S. Wohl, for Ferbar Realty Corporation, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business use district, the maintenance for not more than 2 years and the conversion of occupancy of an existing building from garage, showroom and workroom to a welding shop.

PREMISES AFFECTED—2801-17 West 8th Street, northeast corner of 631-41 Sheepshead Bay Road and 664 Neptune Avenue, Block 7270, Lot 14, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph S. Wohl.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice-Chairman Keating 1

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homcrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and set for hearing September 17, 1958, at 10 A.M., waiving all requirements except a new decision of the Borough Superintendent, which has been filed, and two publications in the Bulletin; time to complete having expired.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

1051-21-BZ—Vol. IV

APPLICANT—Lama, Proskauer and Prober, for D & L Truck Renting Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under sections 7f and 7i of the Zoning Resolution, to permit in a residence and business use district, the change in occupancy and the reconstruction and alteration of garage for more than 5 motor vehicles and motor vehicle repair shop (previously granted by the Board) to gasoline service station, motor vehicle repair shop, lubricatorium, auto laundry and office (previously denied by the Board) and to permit the parking of motor vehicles on unbuilt upon portion of plot (previously granted by the Board).

PREMISES AFFECTED—1820-1832 Cropsey Avenue and 231-245 Bay 19th Street, southwest corner, Block 6464, Lot 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol. IV, subject to the regular procedure, to consider new uses.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

Adjourned: 5:35 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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BULLETIN OF THE

BOARD OF STANDARDS AND APPEALS CITY OF NEW YORK

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No. 28

DIRECTORY

BOARD OF STANDARDS AND APPEALS

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and Chambers Streets, New York 7, N. Y.

TELEPHONE—WHitehall 3-3600, Extensions 2600-2609.

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PETITION AND ORDER OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On July 9, 1958, Copy of Petition and Order of Certiorari was served on the Board by Albert C. Aronne, attorney for Jusanto Holding Corp., objecting property owners, seeking a review of the Board's determinations, one in connection with Cal. No. 978-57-BZ, on May 13, 1958, for a variance to permit under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, for a term of fifteen years, in a business use district on a lot presently occupied as a used car lot, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sales of accessories, minor repairs with hand tools only, auto safe inspection station, parking and storage of motor vehicles, also show windows and signs within 75 feet of a residence use district; the other determination, in connection with Cal. No. 187-58-A, on June 3, 1958, modified the decision of the Borough Superintendent, acting on N.B. Application 2250-1957, on condition that the requirements of the Resolution adopted under Cal. No. 978-57-BZ, be complied with, also that the gasoline storage tanks be maintained to the satisfaction of the transit facilities using the tunnel; Premises 1546-1556 Bushwick Avenue and 45-53 DeSales Place, southwest corner, Borough of Brooklyn.

COURT DECISION

Matter of Philip Kohnberg vs. Harris H. Murdock, et al:—The Appellate Division, Supreme Court, Second Department, in reviewing the decision of the lower court, affirmed same unanimously as follows: (New York Law Journal, July 9, 1958, page 3) Cal. No. 327-55-BZ, Premises 202-06 Hillside Ave., southeast corner of 202nd St., Hollis, Queens.

"Proceeding to review a determination of the Board of Standards and Appeals of the City of New York which granted an application under subdivision e of Section 7 of the Zoning Resolution of the City of New York, for a variance to permit the erection and operation of a gasoline service station and accessory uses, in a local retail district, for a period of fifteen years, subject to conditions and safeguards imposed by the board. The appeal is from an order granting motions to vacate the order of certiorari, dismiss the petition and confirm the determination of the board. Order unanimously affirmed, with costs to respondent board, payable by the appellant. No opinion."

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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401-58-SM—Advance Hoisting Tower, Model 3000-A, manufactured by Beaver-Advance Corp., Material.

402-58-A—B.M.—1085 2nd Avenue, west side, 20 feet 5 inches, north of East 57th Street, Block 1331, Lot 22, Borough of Manhattan, Alt. 476-58 (under Section 35, General City Law re premises in bed of mapped street, proposed widening of 2nd Avenue).

403-58-A—B.M.—13 East 16th Street, north side, 250 feet west of Union Square West, Block 844, Lot 10, Borough of Manhattan, Alt. 401-58—re egress.

404-58-SM—Joanna UV0235-10F and MRBC Vinyl Coated Fabric, manufactured by Joanna Western Mills Company, Material.

405-58-SM—Camp's Concrete and Plaster Bond, manufactured by The Camp Company, Inc., Material.

406-58-SM—Corsons' Masonry Cement, manufactured by G. and W. H. Corson, Inc., Material.

407-58-BZ—B.B.—5713-5720 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn, NB 930-58, Gasoline Service Station, lubritorium, car wash, etc., erection of—business use district.

408-58-SM—Saranspun Drapery Fabric, manufactured by The Georgia Co., Inc., Material.

409-58-BZ—B.B.—8822-8824 4th Avenue and 361-383 89th Street, northwest corner, Block 6062, Lots 41, 42, 45 and 48, Borough of Brooklyn. Alt. 1998-58. Proposed extension of building and use, parking and storage, area coverage, rear yard. Retail and residence use districts.

410-58-A—F.D.—55-01 Grand Avenue, north side, 200 feet west of 57th Street, Block 2610, Lot 240, Maspeth, Borough of Queens, re 8995-5 Order and Decision, Yard Hydrant System.

411-58-SM—Speed-Kleen Fills, Models 2200, 2200M45, 2200F45 and 3200 manufactured by Time Saving Fills, Inc., Material.

412-58-BZ—B.B.—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1501-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn, NB 928-58 Gasoline Service Station, reconstruction of lubritorium, car wash, office and sales, parking and storage—manufacturing and retail use districts.

413-58-SM—Re: Mundet's Expanded Polystyrene Board and Mundet's Expanded Polystyrene Pipe Covering, for cold storage insulation and low temperature piping systems—manufactured by Mundet Cork Corp., Material.

414-58-BZ—B.G.—107-52 to 107-60 (107-56 official) New York Boulevard, and 162-11 to 162-21 108th Avenue, northwest corner, Block 10140, Lot 26, South Jamaica, Borough of Queens, NB 575-58—erection of Gasoline Service Station and maintenance of lubritorium, car wash, repairs, etc. Parking and storage—ground sign—re curb cuts, show windows, etc. Retail and residence use districts.

Restored to Docket

634-54-BZ—Vol. II—B.Q.—219-02 to 219-12 (219-06 official) Hempstead Avenue and 103-01 219th Street, southeast corner, Block 11154 Lot 22, Queens Village, Borough of Queens, N.B. 435-58 re erection and maintenance of—repairs, office, and sales, auto accessories, parking and storage, etc., re ground sign—local retail use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of..	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
Smoking in Factories, Rules for..	Sept. 7, 1937—Vol. 22, No. 36
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	April 15, 1958.
Sprinkler, Rules	Mar. 4, 1958.
Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	June 7, 1932—Vol. 17, No. 23
	Sept. 3, 1946—Vol. 31, No. 36

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Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

JULY 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, July 15, 1958 at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

749-57-BZ

APPLICANT—Frederick A. Ketcher, for Louis Calder Foundation, owner (Kesbec, Inc., Lessee).

SUBJECT—Application October 21, 1957—(decision of the borough superintendent) under sections 7c, 7h, and 7i of the zoning resolution, to permit in a retail and residence use district, the permanent extension of the existing legal gasoline service station, and to permit the reconstruction and maintenance of the accessory building with the additional uses of lubrication, storage, car wash, office and sales and sale of used cars, minor motor vehicle repairs, and a temporary variance to permit the parking of more than five motor vehicles.

PREMISES AFFECTED—688 Gunhill Road, south side of 1365-1375 White Plains Avenue. Block bounded by Gunhill Road, White Plains Avenue, and Olinville Avenues, Block 4628, Lot 35 Borough of The Bronx.

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—(decision of the borough superintendent) under section 7h of the zoning resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed of mapped street—Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 ft. south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—(decision of the Borough Superintendent) under section 7e of the zoning resolution, to permit in a residence use district, a hair-dressing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, southeast corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio, owner; Salvatore DiLorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, sales room and office motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore DiLorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a business use district, in an open yard presently used for the storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

PREMISES AFFECTED—195-199 Allen Street, west side, 175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand

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tools only, parking and storage of motor vehicles and an auto safety inspection station.
PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.
SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.
SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five motor for patrons cars in conjunction with a proposed department store. Ashford Street, in block 4335.
PREMISES AFFECTED—732-764 Ashford Street and 820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.
SUBJECT—Application May 13, 1957—(decision of the Borough Superintendent) under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.
PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.
SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a lot partly in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.
PREMISES AFFECTED—2846 Webster Avenue, east side 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.
SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.
PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.
SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.
PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.
SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.
PREMISES AFFECTED—3960-3962 Bronxwood Avenue, east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.
SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.
PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

151-58-BZ

APPLICANT—Ervin Palmer, for Herald Contracting Co., owner.
SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing building from power house to warehouse, storage and contractor's office.
PREMISES AFFECTED—33 Attorney Street, west side, 125 feet north of Grand Street, Block 346, Lot 58, Borough of Manhattan.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.
SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of offices, lubricatorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.
PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

Laid over from June 24, 1958, to July 1, 1958, for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses it contained; then to July 15, 1958, for additional information as previously requested; hearing closed.

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247-54-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for David and Theodore Ain, Susie and Mario Marani and Theodore Kent Ain, owners.

SUBJECT—Application reopened March 4, 1958. As Vol. II—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the extension of the use of the existing gasoline service station located on the local retail portion of the premises by using the vacant portion in the residence use district for the parking and storage of more than five (5) motor vehicles for a term of years to coincide with the term of the variance granting the gasoline service station.

PREMISES AFFECTED—75-01 to 75-09 (75-05 official Parsons Boulevard, and 158-02 to 158-20 75th Avenue, southeast corner, Block 6823, Lot 1, Flushing, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

38-55-BZ—Vol. 11

APPLICANT—Paul Friedman, for Stellar Fuel Sales Corp., owner; Bertell's Service, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h & 7i of the Zoning Resolution, to permit for a term of years expiring July 12, 1970, the erection wholly within the business use district portion of the plot, which is partly in a business use district and partly in a residence

use district, a proposed extension to an existing accessory building to be used for storage of automobile accessories and supplies, in connection with the existing gasoline service station, lubritorium, non automatic auto laundry, motor vehicle testing, light repairs with hand tools within the building, and parking and storage of more than (5) motor vehicles granted by the Board under Calendar No. 38-55-BZ.

PREMISES AFFECTED—534-544 Coney Island Avenue, southwest corner of Hinckley Place, Block 5343, Lot 13, Borough of Brooklyn.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

1007-57-BZ

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein Department Store, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "C" area district, the one-story extension of a retail department store occupying more than the permitted area coverage.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed.

1008-57-A

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein's Department Store, owner.

SUBJECT—Application December 19, 1957—Appeal from a decision of the Borough Superintendent, re stairs to be enclosed, continuous and lead from street to roof, etc.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed.

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410-47-BZ—Vol. II

APPLICANT—Tobias Goldstone, for Nicoletta Daechille, owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re (decision of the Borough Superintendent) under section 7e of the Zoning Resolution, to permit in a business and residence use district, at an existing motor vehicle repair shop (wheel alignment and body and fender repairs), auto laundry and open lubrication, the installation of four gasoline tanks, and four gasoline pumps on the adjoining portion acquired in 1948 and presently used for the parking of motor vehicles.

PREMISES AFFECTED—2908-2910 Nostrand Avenue, west side, 460 ft. north of Avenue P, Block 7690, Lots 79 and 80, Borough of Brooklyn.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; applicant to submit additional plan showing existing gate to public playground and the distance to proposed curb cut of proposed gasoline station; also to correct filed plans showing proposed conditions.

854-56-BZ

APPLICANT—Nathaniel C. Saxe, for Demitrios Dorizas, owner.

SUBJECT—Application December 11, 1956—(decision of the borough superintendent) under Section 7e of the Zoning Resolution, to permit in a residence use district, the conversion of the present living room to a beauty parlor in the existing three (3) story and basement frame structure.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed.

855-56-A

APPLICANT—Nathaniel C. Saxe, for Demetrios Dorizas, owner.

SUBJECT—Application December 11, 1956—Appeal from a decision of the Borough Superintendent, re frame building, business use.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

312-57-BZ

APPLICANT—Louis Lieberman, for F. and R. Realty Corp., owner.

SUBJECT—Application April 17, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the continuance of an existing illuminating business sign, two (2) feet high and forty (40) feet wide on the existing two-story structure.

PREMISES AFFECTED—94-00 Ditmars Boulevard, 22-01 to 22-73 94th Street, southeast corner, 22-02 to 22-50 and 22-62 to 22-70 95th Street and 94-01 to 94-21 23rd Avenue, Block 1071, Lots 1, 25, 27, 29, 31 and 37, Jackson Heights, Borough of Queens.

Laid over from June 10, 1958, to July 1, 1958 for inspection and decision, hearing closed; then to July 15, 1958, for further inspection and decision.

140-58-BZ

APPLICANT—Haus and Bresin, for The Cord Meyer Co., owner.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of auto washing—non automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—93-24 Roosevelt Avenue and 40-02 to 40-10 94th Street, southwest corner, Block 1562, Lot 25, Elmhurst, Borough of Queens.

Laid over from June 17, 1958, to July 1, 1958, for inspection and decision; hearing closed; then to July 15, 1958, for further inspection and decision.

172-16-BZ—Vol. II

APPLICANT—Herman Kron, for Banner Oil Company, Inc., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II re (decision of the Borough Superintendent) under sections 7c and 7h of the zoning resolution to permit in a business and residence use district, the reconstruction of an existing gasoline service station, minor auto repairs with hand tools only, auto laundry, garage for more than five (5) cars and parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing garage.

PREMISES AFFECTED—31-37 Church Avenue, north side, 100 feet east of Chester Avenue, Block 5313, Lots 34 and 38, Borough of Brooklyn.

Laid over from June 24, 1958, to July 1, 1958, for inspection and decision; hearing closed; then to July 15, 1958, for further inspection and decision.

870-57-BZ

APPLICANT—Jerome W. Perlstein, for Jack Perlow, owner.

SUBJECT—Application November 21, 1957—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a "G-1" area district, the erection of a one-story extension to an existing two-story, one family dwelling to be used in conjunction with the dental office on the first floor, the proposed extension to encroach on the required rear yard.

PREMISES AFFECTED—75-85 182nd Street and 182-01 Union Turnpike, northeast corner. Block 7199, Lot 48, Flushing, Borough of Queens.

Laid over from July 8, 1958 to July 15, 1958, for inspection and decision; hearing closed.

623-49-BZ—Vol. II

APPLICANT—Theron R. Galloway, for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 9A of the Zoning Resolution, to permit in a one and one-half height district, the erection of two additional generating units with twin stacks and transmission towers having a height in excess of that permitted within two (2) miles of a designated air port.

PREMISES AFFECTED—East River, 800 feet north of 20th Avenue: 19-39 20th Avenue, Block 850, Lots 1 and 2, Astoria, Borough of Queens.

Laid over from July 8, 1958, to July 15, 1958, for decision; hearing closed; applicant to give further information as to air pollution control of stacks for generating units.

339-32-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty Inc., owner.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence, business and manufacturing use district, on a plot developed with two (2) buildings, the change in use of one building from storage and seasoning of pickles and tomatoes to the manufacture of incombustibles and the change in use of the second building from furniture storage and warehouse to auto glass shop, mixing of lubricating oils, and knitting and spinning with a one-family apartment, and to have accessory loading and unloading with parking on the unbuilt upon portion of more than five (5) cars.

PREMISES AFFECTED—3509-3517 Fort Hamilton Park-

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way (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street and 200-208 Minna Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

Laid over from July 8, 1958, to July 15, 1958, for inspection and decision; hearing closed.

278-58-A

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty, Inc., owner.

SUBJECT—Application February 26, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

1004-57-BZ

APPLICANT—Henry J. Nurick, for Mrs. Palma Campbell, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one-story building from cooperage and barrel factory to a motor vehicle repair shop for body and fender repairs.

PREMISES AFFECTED—434-440 Manhattan Avenue, southeast corner of Bayard Street, Block 2724, Lot 7, Borough of Brooklyn.

Laid over from July 8, 1958, to July 15, 1958, for inspection and decision; hearing closed.

971-41-BZ—Vol. III

APPLICANT—Herman Kron, for Charlotte K. Mark, owner, Brooklyn Parking Corp., lessee.

SUBJECT—Application reopened July 23, 1957 as Vol. III—re (decision of the Borough Superintendent) under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the extension of the existing parking lot for the parking and storage of more than five (5) motor vehicles by the addition thereto of the adjoining lot.

PREMISES AFFECTED—32-44 Clinton Street, west side, 105 ft. north of Pierrepont Street, Block 238, Lots 65 and 70, Borough of Brooklyn.

Laid over from July 8, 1958, to July 15, 1958, for inspection and decision; hearing closed.

118-58-BZ

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and local retail use district, the change in use of an existing two and three story building, which were formerly two buildings and legally connected, from garage for more than five (5) cars and commercial garage to manufacturing of plastic toys and novelties, storage and assembly and shipping of lacquer coating, the proposed floor space used is in excess of the lot.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street Block 1480, Lot 2, Borough of Brooklyn.

Laid over from July 8, 1958, to July 15, 1958, for inspection and decision; hearing closed.

119-58-A

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—Appeal from a decision of the Borough Superintendent, re provide additional stair.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

88-58-BZ

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the change in use within the existing building from theatre to bowling alley.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Avenue, Block 6022, Lot 22, Bayside, Borough of Queens.

Laid over from July 8, 1958, to July 15, 1958, for inspection and decision; hearing closed.

89-58-A

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent; re stairways, exit, marquee, etc.

PREMISES AFFECTED—199-03 32nd Avenue, north side 20 feet east of Jordan Street, Block 6022, Lot 22, Bayside, Borough of Queens.

811-51-BZ—Vol. II

APPLICANT—Nathaniel C. Saxe, for Wides Motor Sales Corp., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7e and 7h of the zoning resolution, to permit in a residence use district, the erection and maintenance of a one-story building for use as a motor vehicle repair shop (hand tools only) to be used in conjunction with the existing automobile showroom with parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises.

PREMISES AFFECTED—14-06 to 14-16 Beach Channel Drive and 21-32 to 21-42 Nameoke Avenue, northeast corner, Block 8, Lot 1, Far Rockaway, Borough of Queens.

Laid over from July 8, 1958, to July 15, 1958, for inspection and decision; hearing closed.

1178-40-BZ—Vol. II

APPLICANT—Michaels and Michaels and Wigdor, for Trustees of Columbia University, owner; Jacob Goldstein, lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired April 14, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f of the Zoning Resolution, permitting in a residence and business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—309 East 34th Street, north side, 100 feet east of 2nd Avenue, 300-304 East 35th Street and 634-640 2nd Avenue, southeast corner, Block 940, Lots 8, 58, 59, 60 and 61, Borough of Manhattan.

Laid over from July 8, 1958, to July 15, 1958, for applicant to submit a new decision of the Borough Superintendent; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

JULY 15, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, July 15, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

694-56-SA

APPLICANT—Chas. M. Shapiro, for Manhattan Blower Corporation, owner.

SUBJECT—Application September 19, 1956—Manhattan Gas Fired Industrial paint drying oven, approval of.

CALENDAR

967-47-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened January 7, 1958 as to amendment of resolution as to glue—Douglas Fir Plyscord (plywood sheathing); previously approved.

240-52-SM

APPLICANT—Harold N. Ipsen, for Ipsen Industries, Inc., owner. Gerald B. Duff & Company, Agent.
SUBJECT—Application April 4, 1952—Ipsen Automatic Heat Treating Unit, Gas or Electric, Model T, approval of.

365-52-SM

APPLICANT—United States Plywood Corp., owner James A. Fitzpatrick, Agent.
SUBJECT—Application May 16, 1952—United States Plywood Corp., Weldwood Metal Veneer Panel (exterior metal veneer panel), approval of.

921-53-SA

APPLICANT—National Heater Company, owner. E. M. Tarnoff, agent.
SUBJECT—Application December 23, 1953—National Champion Gas Fuel Warm Air Heating Units, Models TD-20, 25, 30, 40, 50, 75, 100, 125, 175 and 200 (suspended type), approval of.

922-53-SA

APPLICANT—National Heater Company owner. E. M. Tarnoff, agent.
SUBJECT—Application December 23, 1953—National Champion Gas-Fired Warm Air Heaters, Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type) approval of.

923-53-SA

APPLICANT—National Heater Company, owner. E. M. Tarnoff, agent.
SUBJECT—Application December 23, 1953—National Champion Oil-Fired Warm Air Furnaces, Models TD-20, 25, 30, 40, 50, 80, 100, 125, 150, 175 and 200 (suspended type), approval of.

926-53-SA

APPLICANT—National Heater Company, Owner. E. M. Tarnoff, agent.
SUBJECT—Application December 23, 1953—National Champion Oil Fired Warm Air Furnace, Model TD-20, 30, 40, 50, 70, 80, 100, 125, 150, 175, and 200 (floor type), approval of.

351-55-SM

APPLICANT—American Air Filter Company, owner.
SUBJECT—Application May 2, 1955—American Air Filter Co., Grease Filter Types AC, HV, and Range Hood, (all metal unit for condensing greasy vapors), approval of.

353-55-SM

APPLICANT—B. Bartholomaeus & Associates, owner.
SUBJECT—Application May 2, 1955—Airsan Grease Filters and Filter Assembly, Types G, AG, GC and GW, approval of.

770-55-SA

APPLICANT—B. S. Tool Co. for Mid-Continent Metal Products Co., owner.
SUBJECT—Application September 13, 1955—Mideo Direct Fired Air Heaters, Models 22, 30 and 36, approval of.

885-56-SM

APPLICANT—Dualheat, Inc., owner. A. A. Arvintz, Agent.
SUBJECT—Application December 19, 1956—DualHeat Paint Heater Model 125, approval of.

41-57-SA

APPLICANT—Orr & Sembower, Inc., manufacturer. V. N. DeCerchio, Agent.
SUBJECT—Application October 25, 1956—Power-Pak Packaged Steam or Hot Water Generator, Gas-fired, Model 2, approval of.

42-57-SA

APPLICANT—Orr & Sembower, Inc., manufacturer. V. N. DeCerchio, Agent.
SUBJECT—Application October 25, 1956—Power-Pak Package Steam or Hot Water Generator (oil fired), Model 2, approval of.

261-57-SA

APPLICANT—Dunkirk Radiator Corporation, owner.
SUBJECT—Application March 21, 1957—Blue Circle Gas-fired Boiler, Models DW4, DW6 and DW8, approval of.

273-57-SA

APPLICANT—McGraw-Edison Company, Clark Division, owner. Ralph M. Cohen, Agent.
SUBJECT—Application March 25, 1957—Toastermaster and Tropic-Aire Gas-fired Water Heaters, approval of.

301-57-SA

APPLICANT—McGraw-Edison Company, Clark Division, owner. Ralph M. Cohen, Agent.
SUBJECT—Application March 27, 1957—Toastermaster and Tropic-Aire Automatic Electric Water Heaters, approval of.

412-57-SM

APPLICANT—The National Screw & Manufacturing Company, owner.
SUBJECT—Application May 14, 1957—National Screw & Manufacturing Company High Strength Structural Bolts, approval of.

421-57-SM

APPLICANT—R. J. Crinnion for Parkchester Glass Company, owner.
SUBJECT—Application March 25, 1957—Parkline Window 3/4-Hour test, approval of.

483-57-SA

APPLICANT—Eureka Williams Corporation, owner.
SUBJECT—Application June 5, 1957—Eureka Williams Oil-O-Matic Furnaces, Models LHO-84 and LHO-84B, approval of.

488-57-SA

APPLICANT—Eureka Williams Corporation, owner.
SUBJECT—Application June 19, 1957—Williams Oil-O-Matic Low Pressure Oil Burner, Models K-4.5 and K-7, approval of.

504-57-SA

APPLICANT—Eureka Williams Corporation, owner.
SUBJECT—Application June 6, 1957—Eureka Williams Gas-O-Matic Furnace, Models LHG-105, LHG-105B, approval of.

623-57-SM

APPLICANT—Fimble Sales Company, for Straits Products, Inc., owner.
SUBJECT—Application June 17, 1957—Straits Accordion Doors, approval of.

681-57-SM

APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.
SUBJECT—Application August 14, 1957—Tectum Slabs Non-bearing Partition, approval of.

CALENDAR

682-57-SM

APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.

SUBJECT—Application August 14, 1957—Tectum Slab 2 inch or more in thickness, incombustible non-bearing subdividing partition, approval of.

683-57-SM

APPLICANT—Tectum Corporation, owner. Harold Perrine, Agent.

SUBJECT—Application August 14, 1957—Tectum Slab 2½ inch Minimum Thickness, composite panel, spandrel and apron wall, approval of.

859-57-SA

APPLICANT—American LaFrance Corporation, owner.

SUBJECT—Application November 21, 1957—American LaFrance Dry Chemical Fire Extinguishers, approval of.

893-57-SA

APPLICANT—All-Boro Gas Company, Inc., from Grimm Manufacturing Co., owner.

SUBJECT—Application November 1, 1957—Redi-Heater Gas-fired, Model M70, approval of.

1021-57-SA

APPLICANT—Precision Heat Treating Company, for Ipsen Industries, Inc., owner.

SUBJECT—Application December 23, 1957—Endothermic Generator, Models: G250-E, G500-E and G, G600-E and G and G750-E and G, G1250-E and G, G1500-E and G, G2500-E and G and G3000-E and G, approval of.

197-58-SA

APPLICANT—Clayton Manufacturing Company, owner. Orco Oil Burner, Agent.

SUBJECT—Application March 5, 1958—Clayton Steam Generator, Models WHO-50, 52-212, 75 and 100 (oil-fired), approval of.

75-58-SA

APPLICANT—Martin Stamping & Stove Company, owner. Irving Entin & Associates, Agent.

SUBJECT—Application February 11, 1958—Martin Unvented Gas-fired Room Heaters, Models C-418, C-430, C-440, 552, 528, 535, 422, 428, 435, 1205, 1206, 1116, 1120 and Martin Vented Gas-Fired Heaters, Models V835, V859, V870, V935, V945, V965, V985, V715 and V720, approval of.

739-50-SM—Vol. II

APPLICANT—Harold Perrine, for Johns-Manville Sales Corp., owner.

SUBJECT—Application reopened May 21, 1957 for Johns-Manville Fibertone, Fire Retardant Finish—re Johns-Manville Fibertone Flame Retardant Finish Acoustical Treatment; previously dismissed.

121-35-SA

APPLICANT—Iron Fireman Manufacturing Company, new owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models OFS-85, OBN-100 and OBN-175 and change of company name—re Timken Silent Automatic Water Heater, Model 40-A and 50-B; previously approved.

175-49-SM

APPLICANT—United States Plywood Corporation, owner.

SUBJECT—Application reopened March 19, 1957 for amendment of resolution as to incombustible rating of partition—re U. S. Plywood Partition Panel, 1¾ inch thick with Kaylo Core and 1 inch thick with Kaylor Core; previously approved.

148-50-SM

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to change of edge of board and marking—re Gold Bond Insulation Roof Boards; previously approved.

373-50-SA—Vol. II

APPLICANT—Airco Equipment Mfg., Division, Air Reduction Company., owner.

SUBJECT—Application reopened June 2, 1953 for amendment of resolution as to additional models of torches—re Air Reduction Co., Inc. Welding and heating torches with cutting attachment, Models 700 Series and 800 Series; previously approved.

500-50-SA

APPLICANT—Bryant Heater Division of Affiliated Gas Eq., Inc., owner.

SUBJECT—Application reopened July 2, 1957 for amendment of resolution as to additional models of gas fired equipment, Model 328—re Crane Gas-fired Unit Heaters, Models 75-329, 95-329, 125-329, 160-329, 225-329, CR75-327, CR50-327, CR100-327, CR125-327, CR200-327 and CR225-327; previously approved.

556-50-SM

APPLICANT—United States Gypsum Company, owner-manufacturer.

SUBJECT—Application reopened November 29, 1955 for new and additional construction methods and materials—re USG trussteel Studs; previously approved.

518-51-SA

APPLICANT—The Thermodyne Corp., for Carrier Corporation, owner.

SUBJECT—Application reopened February 28, 1956 for amendment to consider additional models 50-N and 41-D—re Carrier weathermaker, Models 50K4, 50K6, 50K8, 50K12 and 50K16; previously approved.

143-54-SM

APPLICANT—United States Plywood Corporation, owner.

SUBJECT—Application reopened September 24, 1957 for amendment of resolution as to bolt throw—re Weldwood ¾-Hour Door and 1-Hour Fire Resistive Opening Protective Assembly; previously approved.

733-54-SA

APPLICANT—Pantex Manufacturing Corporation, owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional sizes of dry cleaning equipment—re Pantex Perk-O-Matic Dry Cleaning Machine, Model EC (using non-flammable solvent); previously approved.

734-54-SM

APPLICANT—Seelye, Stevenson, Valve and Knecht, for Granco Steel Products Company, owner.

SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional gauges of Corruform and Tufcor—re Corruform and Tufcor Steel Deck fire resistive roof for industrial construction; previously approved.

700-57-SA

APPLICANT—General Fittings Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade names Way-Wolff Associates, Ray Burner Sales—re General Fittings Electric Oil Immersion Heater, Models WTSB-1, WTSB-2, WTSB3, to be marketed as Preferred Electric Oil Immersion Heater, Models SS-1, SS-2 and SS-3; previously approved.

CALENDAR

361-22-A—Vol. II

APPLICANT—Brooklyn Borough Gas Company, owner.
SUBJECT—Application reopened May 20, 1958 as Vol. II
—Appeal from orders and a decision of the Fire Commissioner, re foam extinguishing system.
PREMISES AFFECTED—873 Neptune Avenue, north side, 146.90 feet east of West 12th Street, Block 7247, Lots 22, 100, 106, 114, 122, 265 and 320, Borough of Brooklyn.

261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.
SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re signs, in vicinity of United Nations Headquarters.
PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

296-57-A

APPLICANT—George J. Steigerwald, owner.
SUBJECT—Application April 15, 1957—Appeal from an order of the fire commissioner, re use of premises as storage garage.
PREMISES AFFECTED—21-23 Coenties Slip, west side, 30 ft. south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.
SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.
PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

914-52-A—Vol. II

APPLICANT—Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.
SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re enclosed stairways.
PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of The Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner.
SUBJECT—Application reopened December 17, 1957 as Vol. II—appeal from a decision of the Borough Superintendent—re: change in egress.
PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

475-55-A—Vol. II

APPLICANT—Harry A. Yarish, for Mar-Rin Realty Corp., owner.
SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re Class III construction increase in height—increase in number of beds, Nursing Home.
PREMISES AFFECTED—953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

369-58-A

APPLICANT—Leo M. Zamory, for Our Lady of Mercy Church.
SUBJECT—Application June 11, 1958—Appeal from a de-

cision of the Borough Superintendent, re frame building, public use, live load, stairways.
PREMISES AFFECTED—2493 Marion Avenue, west side, 172.32 feet, north of East 188th Street, Block 3023, Lot 54, Borough of Bronx.

HARRIS H. MURDOCK, *Chairman*

JULY 22, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, July 22, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.
SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.
SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.
PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.
SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.
PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.
SUBJECT—Application November 21, 1956—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

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PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner, Block 4079, Lots 35, 36 and 37, Borough of The Bronx.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) South of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 5 construction less than 4 feet from Lot line.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.

PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.

PREMISES AFFECTED—1412 Bay Ridge Avenue south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.

SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic laundry and parking of cars awaiting service.

PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green, for Merry Twins, Inc., owner.

SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

938-57-BZ

APPLICANT—Leonard F. Rothkrug, for Bel-Harb Corporation, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, an increase in the number of apartments in an existing five story multiple dwelling from 38 to 43, the additional apartments are to be part of the basement reconstruction.

PREMISES AFFECTED—123-11 Rockaway Beach, Boulevard, southeast corner of Beach 124th Street, Block 763, Lot 1, Belle Harbor, Borough of Queens.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.

SUBJECT—Application reopened February 11, 1958, as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the open garage for more than five (5) motor vehicles into the adjoining lot.

PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. III

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—decision of the Borough Superintendent, under sections 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner. Block 5750, Lot 42, Borough of Brooklyn.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for the manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes

and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

PREMISES AFFECTED—57 Park Avenue, eastside 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

963-57-BZ—VOL. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirrillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution to permit in a residence use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co. Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re curb cuts located in the bed of a mapped street-proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

116-33-BZ

APPLICANT—Joseph Lau, for Lurose Realty Corp., United States Trucking Corp., lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired March 2, 1958—decision of the Borough Superintendent,

CALENDAR

under sections 7e and 21 of the Zoning Resolution, to permit in a business use district, the extension of an existing garage for more than five (5) motor vehicles—pleasure type and fifteen (15) trucks in the ownership and control of the owner—granted by the Board under Cal. 30-430-BZ resolution amended to include storage of more than five trucks by a trucking concern for a term of five (5) years. PREMISES AFFECTED—50-56 Downing Street and 214-218 West Houston Street, north side, 159 feet 6¾ inches east of Varick Street, Block 528, Lots 13, 28, 29, 30 and 31, Borough of Manhattan.

5-58-BZ

APPLICANT—Patrick D. Concagh, for Saverio S. Piscane, owner.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) cars on a vacant plot of land.

PREMISES AFFECTED—717-719 East 217th Street, north side, 130.35 feet east of White Plains Road, Block 4665, Lots 40 and 43, Borough of The Bronx.

Laid over from July 1, 1958 to July 22, 1958, for inspection and decision; hearing closed.

126-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Celia Katz, owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a four story building with basement and cellar, the change in use of the basement from doctor's office and apartment to dressmaking and sales and the change in use of the first floor from two apartments to Photo Studio and Beauty Salon and the upper floors to retain their use as apartments.

PREMISES AFFECTED—38 East 63rd Street, south side, 182 feet east of Madison Avenue, Block 1377, Lot 45, Borough of Manhattan.

Laid over from July 1, 1958 to July 22, 1958, for inspection and decision; hearing closed.

999-57-BZ

APPLICANT—Elias K. Herzog, for William W. Brill, et al., owners. Muriel S. Kessler and Rose H. Yarmark, partners.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises, after demolition of the existing tenement building, for the parking and storage of more than five (5) motor vehicles for a stated term of ten (10) years.)

PREMISES AFFECTED—136 Sullivan Street, north side, 75 feet west of Prince Street and 197 Prince Street, west side, 100 feet north of Sullivan Street, Block 518, Lots 41 and 46, Borough of Manhattan.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision; hearing closed.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michelen De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision; hearing closed.

196-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, carwashing, office and sales room, minor auto repairs and parking of more than five cars.

PREMISES AFFECTED—2590-2604 Bailey Avenue and 2587-2601 Heath Avenue, northeast corner, Block 3239, Lot 1, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed.

674-49-BZ—Vol. II

APPLICANT—Patrick D. Concagh, for Saverio and Peter Boffoli, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story structure for use as stores, storage of beer and soda, loading and unloading with patron parking and curb cuts for commercial use for a stated term of fifteen (15) years.

PREMISES AFFECTED—4391-4399 Baychester Avenue and 1960-1968 Nereid Avenue, southwest corner, Block 5056, Lot 38, Borough of The Bronx.

Laid over from July 8, 1958, to July 22, 1958, for inspection and decision; hearing closed.

940-57-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Frank Letizia, doing business as Rainbow Beverage Co., owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a soda bottling factory for a term of twenty (20) years.

PREMISES AFFECTED—2254 Light Street and 3787 Merrit Avenue, southwest corner, Block 4951, Lot 47, Borough of The Bronx.

Laid over from July 8, 1958, to July 22, 1958, for inspection and decision; hearing closed.

756-57-BZ

APPLICANT—Paul Friedman, for Mary Falco, owner.

SUBJECT—Application October 23, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit for a term of (15) fifteen years in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, sale and storage of auto accessories.

PREMISES AFFECTED—132-140 East 107th Street and 1710-1712 Lexington Avenue, southwest corner, Block 1634, Lot 158, Borough of Manhattan.

Laid over from July 8, 1958, to July 22, 1958, for inspection and decision; hearing closed.

426-57-BZ

APPLICANT—Patrick D. Concagh, for Moschella Homes, Inc., owner.

SUBJECT—Application June 6, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning resolution, to permit in a residence use, "D-1" area district, the erection of a one story class 3 building to be used for eight (8) retail stores and occupying more than the permitted area.

PREMISES AFFECTED—2509-2519 Eastchester Road,

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west side, 100 ft. north of Mace Avenue, Block 4480, Lot 78, Borough of the Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubricatorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed; then to July 22, 1958, for further inspection and decision.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 22, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, July 22, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

761-57-A

APPLICANT—Sidney Daub, for Broadway Pastry Shop, Inc., owner.

SUBJECT—Application October 24, 1957—Appeal from a decision of the Borough Superintendent, re egress, factory building.

PREMISES AFFECTED—252-254 West 28th Street, south side, 155 feet, 6 inches east of 8th Avenue, 2nd floor; Block 777, Lot 72, Borough of Manhattan.

304-58-A

APPLICANT—Paul Trapani, for Florence Trapani, owner. SUBJECT—Application May 16, 1958—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Sections 171(1) and 172(2) and Section 172(3), re Bulk and volume, yard area, etc.

PREMISES AFFECTED—636-644 Burke Avenue, southwest corner of Barker Avenue, 1st floor, Block 4543, Lot 26, Borough of The Bronx.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

355-58-A

APPLICANT—Albert B. Bauer, for Department of Public Works, City of New York, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re exits, wood shelves, etc.

PREMISES AFFECTED—112-114 East 96th Street, south side, 165 feet west of Lexington Avenue, Block 1524, Lot 64, Borough of Manhattan.

87-58-A

APPLICANT—Donald J. Colasano, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue Block 5379, Lots 4, 6 and 7,, Flushing, Borough of Queens.

685-48-A—Vol. III

APPLICANT—Francis Seaman for Surface Transit, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III Appeal from a decision of the Borough Superintendent re: relocation of fuel oil pump, dispensing panels and installation of four additional diesel oil dispensing pumps in basement.

PREMISES AFFECTED—4065-4079 10th Avenue, southeast corner, 218th Street West, Block 2213, Lot 6, Borough of Manhattan.

221-55-A—Vol. III

APPLICANT—Charles L. Koester for Joseph Casa, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. III —Appeal from a decision of the Borough Superintendent re: change of a one family dwelling to a two family dwelling.

PREMISES AFFECTED—84-20 267th Street, southwest corner of East Williston Avenue, Block 8811, Lot 25, Floral Park, Borough of Queens.

313-57-A

APPLICANT—Addie Vallins, Inc., owner.

SUBJECT—Application April 17, 1957—Appeal from an order and a decision of the Borough Superintendent, re interior fire alarm system.

PREMISES AFFECTED—40 West 170th Street, northwest corner of Cromwell Avenue, Block 2871, Lot 94, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

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965-57-A

APPLICANT—Hetkin, Jervis and Hetkin, for Golf House, Inc., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction—public use.

PREMISES AFFECTED—40 East 38th Street, south side, 80 feet west of Park Avenue, Block 867, Lot 43, Borough of Manhattan.

123-58-A—Vol. II

APPLICANT—Abraham Grossman for Benjamin Gordon, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: lawful means of egress and provision of lawful stair enclosure.

PREMISES AFFECTED—821-823 Broadway and 51 East 12th Street, northwest corner, Block 564, Lot 22, Borough of Manhattan.

340-58-A

APPLICANT—Merrill and Holmgren, architects for Brighton Heights Reformed Church.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re frame structure—stair enclosure.

PREMISES AFFECTED—322 St. Marks Place, southwest corner of Fort Place, Block 16, Lot 68, St. George, Borough of Richmond.

366-58-A

APPLICANT—Ross & Atkin, for Alexanders' Department Store, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re removal of fire wall.

PREMISES AFFECTED—2948-2954 and 2962-64 Third Avenue, east side, 50.32 feet south of East 153rd Street and 635-655 Bergen Avenue, Block 2362, Lots 44, 69 and 70, Borough of Bronx.

375-58-A

APPLICANT—Shreve, Lamb & Harmon Associates, for Bankers Trust Company, owner.

SUBJECT—Application June 13, 1958—Appeal from a decision of the Borough Superintendent, re: width of stairways inadequate for number of persons.

PREMISES AFFECTED—10-16 Wall Street, 1-9 Nassau Street, northwest corner and 7-11 Pine Street, Block 46, Lot 9, Borough of Manhattan.

402-58-A

APPLICANT—S. Walter Katx, for Steval Realty Corp., owner.

SUBJECT—Application July 2, 1958—filed pursuant to Section 35, General City Law re alteration and extension of building located in bed of a mapped street—proposed widening of 2nd Avenue.

PREMISES AFFECTED—1085 2nd Avenue, west side, 20 feet, 5 inches north of East 57th Street, Block 1331, Lot 22, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, JULY 8, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, June 24, 1958, were approved as printed in the Bulletin of July 1, 1958, Vol. 43, No. 26.

339-32-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty Inc., owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence, business and manufacturing use district, on a plot developed with two (2) buildings, the change in use of one building from storage and seasoning of pickles and tomatoes to the manufacture of incombustibles and the change in use of the second building from furniture storage and warehouse to auto glass shop, mixing of lubricating oils and knitting and spinning with a one-family apartment, and to have accessory loading and unloading with parking on the unbuilt upon portion of more than five (5) cars.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street and 200-208 Minna Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Vassalotti and Alfred A. Lama.

For Opposition: William Rosenberg, Josephine Nardiello, Mrs. J. Cofone, Grace Pesce and Sarah Pervone.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision with Cal. No. 278-58-A; hearing closed.

278-58-A

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty, Inc., owner.

SUBJECT—Application February 26, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Vassalotti and Alfred A. Lama.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision in conjunction with Cal. No. 339-32-BZ—Vol. III; hearing closed.

1178-40-BZ—Vol. II

APPLICANT—Michaels and Michaels and Wigdor, for Trustees of Columbia University, owner; Jacob Goldstein, lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired April 14, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f of the Zoning Resolution, permitting in a residence and business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—309 East 34th Street, north side, 100 feet east of 2nd Avenue, 300-304 East 35th Street and 634-640 2nd Avenue, southeast corner, Block 940, Lots 8, 58, 59, 60 and 61, Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard Bernstein.

For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for applicant to file decision of the Borough Superintendent in the form of an objection sheet.

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971-41-BZ—Vol. III

APPLICANT—Herman Kron, for Charlotte K. Mark, owner (Brooklyn Parking Corp., lessee).

SUBJECT—Application reopened July 23, 1957 as Vol. III—re decision of the Borough Superintendent under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the extension of the existing parking lot for the parking and storage of more than five (5) motor vehicles by the addition thereto of the adjoining lot.

PREMISES AFFECTED—32-44 Clinton Street, west side, 105 feet north of Pierrepont Street, Block 238, Lots 65 and 70, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Herbert A. Norton.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

623-49-BZ—Vol. II

APPLICANT—Theron R. Galloway, for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 9A of the Zoning Resolution, to permit in a one and one-half height district, the erection of two additional generating units with twin stacks and transmission towers having a height in excess of that permitted within two (2) miles of a designated air port.

PREMISES AFFECTED—East River, 800 feet north of 20th Avenue; 19-39 20th Avenue, Block 850, Lots 1 and 2, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Theron R. Galloway and J. M. Klinger.

For Opposition: Nick Sardone, Gianoula Condos, Emmanuel Varkanis and Theresa Fasanello.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for decision; hearing closed; applicant to give further information as to air pollution control of stacks for generating units.

674-49-BZ—Vol. II

APPLICANT—Patrick D. Concagh, for Saverio and Peter Boffoli, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story structure for use as stores, storage of beer and soda, loading and unloading with patron parking and curb cuts for commercial use for a stated term of fifteen (15) years.

PREMISES AFFECTED—4391-4399 Baychester Avenue and 1960-1968 Nereid Avenue, southwest corner, Block 5056, Lot 38, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: Xelvira Ross, Catherine Williams, Ruth Cahill, Caroline Jones, Margaret Banker, Doris Paige, Ethel Burke, De Martine and Vierno, Angela Nizza, Caroline Pappas, Margaret Johnson, C. E. Everett, Ralph Lubrino, Nasrile G. Gregoire, Edward Papantonio, C. Serwatka, Sally McCabe, J. Schreiber, N. Marelo, A. Benes, M. Marone, C. Bernhart, R. Ippolito, M. Timm, M. Ehresmann, S. Pagano, F. Conese, M. Coletti, L. Mattioli, F. Costello and S. Chizzolm.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for inspection and decision; hearing closed.

811-51-BZ—Vol. II

APPLICANT—Nathaniel C. Saxe, for Wides Motor Sales Corp., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story building for use as a motor vehicle repair shop, hand

tools only, to be used in conjunction with the existing automobile showroom with parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises.

PREMISES AFFECTED—14-06 to 14-16 Beach Channel drive and 21-32 to 21-42 Nameoke Avenue, northeast corner, Block 8, Lot 1, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Nathaniel C. Saxe.

For Opposition: C. J. Cammarata, N. Y. C. Housing Authority, Mrs. A. E. Forbes, Cora H. Wolton, Daniel Forbes and Thomas Caswell.

ACTION OF BOARD—Laid over to July 15, 1958 at 10 A. M. for inspection and decision; hearing closed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbert and Rus-ciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee Cities Service Oil Corp., 70 Pine St., New York City, N. Y.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h, and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board to the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug, Ernest La Porte and Anthony Poverno.

For Opposition: Albert F. Proctor and Rev. Marcus Y. Anderson.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for inspection and decision; hearing closed.

850-56-BZ

APPLICANT—Maurice G. Usan, for Jewish Community Center, owner.

SUBJECT—Application December 7, 1956—decision of the Borough Superintendent under sections 7a and 21 of the Zoning Resolution, to permit in an E area district, the construction of a two story and part three story addition to an existing community center occupying more than the permitted area having less than the required setback, side yard and rear yard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

APPEARANCES—

For Applicant: Maurice G. Usan.

For Opposition: None.

ACTION OF BOARD—Laid over for inspection and decision; date of decision to be determined; hearing closed.

314-58-A

APPLICANT—Maurice G. Usan, for Jewish Community Center, owner.

SUBJECT—Application May 12, 1958—filed pursuant to section 35, (3), General City Law re alteration of existing building partially in bed of a mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

APPEARANCES—

For Applicant: Maurice G. Usan.

ACTION OF BOARD—Laid over for inspection and decision; date of decision to be determined; hearing closed.

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19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of a residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Laid over to September 23, 1958, at 10 A. M. for inspection and decision; applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

426-57-BZ

APPLICANT—Patrick D. Concagh, for Moschella Homes, Inc., owner.

SUBJECT—Application June 6, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D-1" area district, the erection of a one story class 3 building to be used for eight (8) retail stores and occupying more than the permitted area.

PREMISES AFFECTED—2509-2519 Eastchester Road, west side, 100 feet north of Mace Avenue, Block 4480, Lot 78, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: None.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for inspection and decision; hearing closed.

756-57-BZ

APPLICANT—Paul Friedman, for Mary Falco, owner.

SUBJECT—Application October 23, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution to permit for a term of (15) fifteen years in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, sale and storage of auto accessories.

PREMISES AFFECTED—132-140 East 107th Street and 1710-1712 Lexington Avenue, southwest corner, Block 1634, Lot 158, Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Dr. D. A. Bowanno, Morris Kugler and Dante Andeoli.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for inspection and decision; hearing closed.

870-57-BZ

APPLICANT—Jerome W. Perlstein, for Jack Perlow, owner.

SUBJECT—Application November 21, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the erection of a one-story extension to an existing two-story, one family dwelling to be used in conjunction with the dental office on the first floor, the proposed extension to encroach on the required rear yard.

PREMISES AFFECTED—75-85 182nd Street and 182-01 Union Turnpike, northeast corner, Block 7199, Lot 48, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Jerome Perlstein.

For Opposition: Sam Ostrofsky, George Alleis and E. Porter.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

940-57-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Frank Letizia, doing business as Rainbow Beverage Co., owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a soda bottling factory for a term of twenty (20) years.

PREMISES AFFECTED—2254 Light Street and 3787 Merrit Avenue, southwest corner, Block 4951, Lot 47, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Frank Letizia.

For Opposition: None.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for inspection and decision; hearing closed.

942-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking for more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: Margaret Jaenicke, Kathryn Barbour and Alfred L. Barbour.

ACTION OF BOARD—Laid over for inspection and decision; hearing closed; date for decision to be set.

204-58-A

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application April 7, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Richmond Avenue.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Laid over for inspection and decision in conjunction with Cal. No. 942-57-BZ; date to be set; hearing closed.

990-57-BZ

APPLICANT—Albert Melniker, for Richmond Motor Fuels, Inc., owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under sections 7c, 7e, and 7f of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and the parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing motor vehicle repair shop, located in the residence portion of the plot for a stated term of fifteen (15) years.

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PREMISES AFFECTED—170-186 Gordon Street and 250-258 Broad Street, southwest corner, Block 563, Lot 72, Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.
For Opposition: Dolores E. Dunlop and Pearl Colton.
For Administration: C. J. Cammarata, N. Y. C. Housing Authority.

ACTION OF BOARD—Laid over for inspection and decision; date to be determined; hearing closed, plans to be corrected to eliminate the gas pumps now shown to be retained in front of the building used for motor vehicle repair shop.

1004-57-BZ

APPLICANT—Henry J. Nurick, for Mrs. Palma Campbell, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one-story building from cooperage and barrel factory to a motor vehicle repair shop for body and fender repairs.

PREMISES AFFECTED—434-440 Manhattan Avenue, southeast corner of Bayard Street, Block 2724, Lot 7, Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick and Anthony Tuozzo.
For Opposition: None.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

88-58-BZ

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the change in use within the existing building from theatre to bowling alley.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Avenue, Block 6022, Lot 22, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.
For Opposition: Assuero V. Caretta, Maria Campese, Leonard Campese and Ben Sanzeri.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

89-58-A

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent; re stairways, exit, marquee, etc.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Avenue, Block 6022, Lot 22, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

118-58-BZ

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and local retail use district, the change in use of an existing two and three story building, which were formerly two buildings and legally connected, from garage for more than five (5) cars and commercial garage to manufacturing of plastic toys and novelties, storage and assembly and shipping of

lacquer coating, the proposed floor space used is in excess of the lot.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold L. Losee and Charles B. Shoy.

For Administration: John J. Saunders, Bd. of Education.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

119-58-A

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—Appeal from a decision of the Borough Superintendent, re provide additional stair.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over to July 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: Irene Garry and Josephine Delay.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for further inspection and decision; hearing previously closed.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for further inspection and decision; in conjunction with Cal. No. 141-58-BZ; hearing previously closed.

196-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubrication, car washing, office and sales room, minor auto repairs and parking of more than five cars.

PREMISES AFFECTED—2590-2604 Bailey Avenue and 2587-2601 Heath Avenue, northeast corner, Block 3239, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: James Vassalotti.

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For Opposition: Lois Klein, Peter Hagins, Lucille Harrington, Margaret Sheridan and Emil Schaefer.
ACTION OF BOARD—Laid over to July 22, 1958, at 10 A. M. for inspection and decision; hearing closed.

783-55-BZ

APPLICANTS—Hurley and Hughes, for Managements Audits, Inc., owners.

SUBJECT—Application September 30, 1955—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the change of use of the present four story, one family residence, to offices in the basement, first and second floors and the third and fourth floors as a duplex apartment.

PREMISES AFFECTED—125 East 38th Street and 314 Lexington Avenue, northwest corner, Block 894, Lot 17, Borough of Manhattan.

APPEARANCES—

For Applicant: Edward J. Hurley and Joseph V. Marino.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for applicant to correct papers and for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 38th Street and Park Avenue are in a residence use, B area, class 1½ height district; East 39th Street and Lexington Avenue are in residence and retail use, B area, class 1½ height districts;

WHEREAS, the decision of the Borough Superintendent, dated July 26, 1957 acting on Alt. Applic. No. 207-54, reads:

"C-11. (Revised) Proposal to change the occupancy of subject 4 sty. basement and cellar N.F.P. bldg. from one family residence to offices and one family (duplex apt.) residence is contrary to Art. II Sect. 3 of the Zoning Resol."

and

WHEREAS, the applicant states that the premises consist of a plot 75 feet frontage by 22 feet in depth, occupied by a four story basement and cellar, used as a one family dwelling; that it is proposed to convert this one family dwelling legally to office use on the basement, first and second floors, and the third and fourth floors are to be used as a duplex apartment by an officer of the corporation; that it is proposed to use the public stair at the third and fourth floor levels as the duplex stair, rather than create a new stair; that the floors used for offices—basement, first and second floors—has a very low occupancy of not more than six people; and

WHEREAS, the applicant states that this building is occupied by the American Institute of Management, which is a non-profit organization dealing in free service to the business world; that their services consists of supplying information about different markets, etc.; and

WHEREAS, the applicant contends that although located on the northwest corner of Lexington Avenue and East 38th Street which is zoned as residence, the entire area adjacent on Lexington Avenue, however, is predominantly a business area; that the exterior appearance of the building together with the type of business, does not tend to indicate that the building is used for anything other than residence and therefore the residential area would not suffer in appearance; and

WHEREAS, the applicant states that the present owner has held title to the property since October 3, 1952; that the assessed valuation of land is \$55,000 and of the building \$17,000 making a total of \$72,000; that the building was erected prior to 1901; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7 e, for a term of five years to permit the occupancy of the building as proposed and shown, for the concern as referred to, for business offices and also for residence use, as indicated on plans filed with this application, marked "Received September 30, 1955", 7 sheets, and "July 24, 1957", 1 sheet, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than modified by the Board this day under Cal. No. 645-57-A; that the use as proposed shall not be changed without the matter being referred to this Board for further consideration; that all permits shall be obtained and all work completed within 6 months from the date of this resolution; and that a Certificate of Occupancy shall be obtained.

645-57-A

APPLICANT—Hurley and Hughes, for Management Audits, Inc., owner.

SUBJECT—Application August 18, 1957—Appeal from a decision of the Borough Superintendent, re stair enclosures, Class 3 construction—use of 4th floor to remain vacant, etc.

PREMISES AFFECTED—125 East 38th Street and 314 Lexington Avenue, northwest corner, Block 894, Lot 17, Borough of Manhattan.

APPEARANCES—

For Applicant: Edward J. Hurley and Joseph V. Marino.
ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 16, 1958 on Alt. Applic. 207/54, reads:

"C2—Provide a continuous two hour stair enclosure from the street to the roof including horizontal offsets—with all doors there in to be F.P.S.C.6.4.18.1(b) B.C.

C3—Provide construction to safely sustain a 50# L.L. on base, 1st and 2nd floors—office use.

C6—Exit doors on the street to open in line of egress.

C7—Exit doors in stair enclosures to open in line of egress.

C12—Revised—Proposal to use the basement, 1st and 2nd floors for office use requires that the bldg. be of fireproof construction 4.2.1.B.C."

and

WHEREAS, the applicant states that the building is 4 stories and basement in height, 75 feet front by 22 feet in depth at street level, 50 feet front by 22 feet in depth at typical floor level, of class 3 construction, erected prior to 1901 located on a lot 75 feet front by 22 feet in depth, in a residence use, B area, class 1½ height district, and used and occupied since 1952; Cellar—boiler room and storage, no persons; 1st floor—philanthropic offices, 4 persons; 2nd floor—philanthropic offices, 4 persons; 3rd and 4th floors combined—one duplex apartment; that no change in use of occupancy is now proposed; that the building is provided with one 2 foot 10 inch wide wood interior stairs, enclosed in partitions of studs and plaster equipped with wood doors which are not self closing; that stairhall leads from roof bulkhead direct to street; and

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WHEREAS, Certificate of Occupancy #12290 issued March 9, 1927 against Alt. Applic. 411/26, permits the use of the building as a private residence for one family; and

WHEREAS, Violation #9990 issued September 27, 1954, was for changing the use of the basement, 1st and 2nd stories from private residence to offices contrary to Certificate of Occupancy #12290, which calls for premises to be occupied by one family; and

WHEREAS, the applicant contends as to Objection C-2 issued by the Borough Superintendent; that the building is of limited area occupied by a single tenant with 1400 square feet gross on the basement and 1st floor, used as offices with an occupancy of 4 persons per floor; that 700 square feet on the 2nd floor used as offices with an occupancy of 4 persons; that the 3rd and 4th floors are a duplex apartment used by an officer of the tenant corporation; that it is therefore requested that a sprinkler in the public hall be accepted in lieu of the 2 hour fireproof enclosure and the fireproof self-closing doors required; and

WHEREAS, the applicant contends as to Objection C-3 issued by the Borough Superintendent; that the building is in good condition without signs of deflection in floors or cracked plaster; that the occupancy and loading both will be light and it is therefore requested that the present floor construction be accepted for office use; and

WHEREAS, the applicant contends as to Objection C-6 issued by the Borough Superintendent; that the total occupancy is 12 persons; that it is requested that exit doors be permitted to swing in as steps at exit door make it impractical to change the swing of the door; and

WHEREAS, the applicant contends that to Objection C-7 issued by the Borough Superintendent; that there are 14 doors involved serving only 12 occupants and it is therefore requested that the exit doors to stairs be permitted to remain as shown in view of the proposal to sprinkler the stairs; and

WHEREAS, the applicant contends as to Objection C-12 issued by the Borough Superintendent; that the business will be confined to the basement, 1st and 2nd floors, all under one tenant; that the duplex apartment will be used by an officer of the tenant corporation; that as the building is only 50 feet in height, it is requested that the class 3 construction be accepted, in view of the small area, the low occupancy and the proposed sprinkler in the public hall; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 207/54, Objection No. C2, 3, 6, 7, & 12 and that the appeal be and it hereby is *granted, on condition* that there shall be a sprinkler system of the type as permitted for multiple dwellings maintained throughout the stairs and stair halls from cellar to roof provided the water service main from the street is not less than 2½ inches in diameter; that the existing floor loads may be retained provided the floors occupied for business purposes do not exceed the present floor loads which shall be posted; that the entrance doors to the building may be retained as they swing at present; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and the resolution adopted this day under Cal. No. 783-55-BZ.

224-57-BZ

APPLICANT—Haus and Bresin, for Adele Wilson and Elsie Katz, owners.

SUBJECT—Application March 26, 1957—decision of the Borough Superintendent under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a gasoline service station, auto washing, lubrication, offices, sale of auto accessories and minor repairs with hand tools only for the stated term of fifteen (15) years.

PREMISES AFFECTED—72-01 to 72-11 (72-05 official) Northern Boulevard, and 32-59 to 32-69 72nd Street, northeast corner, Block 1168, Lots 42 and 46 (42-new), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 1, 1957 after due notice by publication in the Bulletin; laid over to October 8, 1957, at the request of an objector; then to November 19, 1957, for inspection and decision; hearing closed; then to December 10, 1957, for further inspection and decision; then to January 7, 1958, for further consideration and decision; then laid over from January 7, 1958, for decision; date to be set; then set for May 6, 1958; then laid over; date to be set after applicant has filed administrative appeal; then set for July 8, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 72nd Street are in business and residence use, B and D area, class 1½ height districts; Northern Boulevard is in a business use, B area, class 1½ height districts; that the entire site was an unrestricted use district and a B area district until July 31, 1947; that on that date, the portion of the site within 100 feet of Northern Boulevard was changed to a business use district and the portion of the site more than 100 feet from Northern Boulevard was changed to residence use and D area; that the height designation has remained unchanged since 1916; and

WHEREAS, the decision of the Borough Superintendent, dated March 4, 1957 acting on N.B. Applic. 443-57, reads:

"1. Proposed erection of a gasoline service station, auto washing, lubrication, office, sale of auto accessories and minor repairs with hand tools only on a lot in a business use district extending into a residence use district is contrary to Art. 2, Sec. 3 and Sec. 4a, item 29 and item 46 of the Z.R.

2. Proposed erection of a ground sign on the business portion of the lot is contrary to Art. 2 Sec. 4 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 127.08 feet frontage by 144 feet irregular in depth, presently unimproved; that it is proposed to erect a fence on the zone line and the small irregular area to the north of this fence will be excluded from the gas station area; that the site will be developed with a modern gas station with face brick facades; that a woven wire fence on a concrete base will be provided along the interior lot lines as well as along the zone line at the rear; that no portion of the building, tanks or pumps will be located within the bed of the mapped street and this mapped street area will be used for driveway purposes only; that the repairing herein proposed will consist of minor repairs with hand tools only and will be confined to the interior of the accessory building; and

WHEREAS, the applicant states that the north side of Northern Boulevard within the affected area, as well as all of the property to the north, is entirely vacant except for a used car lot and a gas station occupying the block front from 70th to 71st Street; that on the south side of Northern Boulevard, there is a gas station directly opposite the site in block 1245, lot 1, and diagonally opposite the site there is another gas station occupying the block front from 71st to 72nd Street in block 1244, lot 1; that two additional gas stations occupy the block front from 70th Street to 71st Street in block 1243, lots 1 and 6; and

WHEREAS, the applicant contends that due to the undeveloped nature of the surrounding property, there is no de-

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mand for any conforming use such as stores; that the triangular shape of the plot also makes development with a conforming use difficult, even if an economic demand for such a use existed; that Northern Boulevard is a very heavily travelled traffic artery so that the proposed development is in keeping with the needs of the area and with the present development of the general area along Northern Boulevard; and

WHEREAS, the applicant states that the present owner has held title to the property since December 16, 1955 and that the assessed valuation of land is \$15,700; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f, for a term of 15 years, to permit the premises to be occupied as a gasoline service station and the lawful uses accessory thereto, substantially as proposed and indicated on plans filed with this application, marked "Received March 26, 1957", 1 sheet, "July 26, 1957", 2 sheets, "November 18, 1957", 1 sheet, *on condition* that the premises within the property lines shall be leveled substantially to the grade of Northern Boulevard and shall be constructed and arranged as indicated on such plans; that the accessory building shall be of the design and location as indicated, and shall be faced with face brick on all sides; that no other opening shall be on the lot line to the east; that pumps shall be of the low approved type, erected not nearer than 15 feet to the street building line of Northern Boulevard; that sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that curb cuts shall be restricted to two cuts, each 30 feet in width, from the building line within the property line of the plot and an additional curb cut, not over 20 feet in width, from the portion of the premises to be taken in the construction of 72nd Street; that the accessory building shall have no cellar, be faced with face brick on all sides and in all other respects shall comply with the requirements of the Building Code; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

322-58-A

APPLICANT—Haus and Bresin, for Adele Wilson and Elsie Katz, owners.

SUBJECT—Application May 16, 1958—filed pursuant to Section 35, General City Law re building in bed of mapped Street—72nd Street.

PREMISES AFFECTED—72-01 to 72-11 (72-05 official) Northern Boulevard, and 32-59 to 32-69 72nd Street, northeast corner, Block 1168, Lots 42 and 46 (42 new), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated May 12, 1958 on N.B. Applic. 443-57, reads:

"3. The proposed gasoline service station is in the bed of a mapped street and is contrary to Art. 3, Sec. 35 of the General City Law."

and

WHEREAS, the applicant states that the premises consists of a lot 127.08 feet front by 144 feet irregular in depth, located in a business and residence use, B and D area, class 1½ height district, upon which it is proposed to erect a 1 story, 13 feet high, class 3 constructed building, 46 feet irregular front by 38 feet 6 inches irregular in depth and to install necessary tanks and pumps and to use and occupy the premises as a gasoline service station, auto washing, lubrication, office, sale of auto accessories and for minor motor vehicles repairs with hand tools only; and

WHEREAS, the applicant states that 72nd Street is a mapped street but not physically in existence; that the premises in question extends to the center line of the proposed street so that a portion of this site 30 feet in width along Northern Boulevard front lies in the bed of the proposed street; and

WHEREAS, the applicant contends that no portion of the proposed building, tanks or pumps will extend into the proposed street area; that this portion of this site will be used solely for driveway purposes; that he has been informed by the President of the Borough of Queens that title to the street is not vested to the City or is there any proposal pending at this time for the acquisition of the property necessary for such street purposes; and

WHEREAS, the Board has been advised by the President of the Borough of Queens, that 72nd Street is indicated at a width of 60 feet on the Final Maps adopted by the Board of Estimate and Apportionment, February 8, 1912; that title to this street has not as yet been acquired and there is no proceeding now pending to acquire title thereto; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 443-57, Objection No. 3 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, *on condition* that the requirements of the Resolution adopted this day under Cal. No. 224-57-BZ, shall be complied with and that in the event the mapped area is taken over by the City for the construction of 72nd Street the compensation shall be as determined by the Court.

298-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of the present building from furniture showroom to supermarket.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Cohen.

For Opposition: C. J. Cammarata, N. Y. C. Housing Authority.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on May 6, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; that as of July 25, 1916 the premises were in a business use district and received the present use

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designation on June 15, 1956; and

WHEREAS, the decision of the Borough Superintendent, dated March 17, 1958 acting on amendment to Alt. Applic. No. 1695-56, reads:

"1. Proposed change in use, from furniture showroom to supermarket and storage, of a building located in Residence use district is contrary to Sec. 3 of the Zoning Resolution and B.S.A. Resolution 298-57-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 100 feet 11 inches in depth, presently developed with a three story building of class 3 construction having a frontage of 75 feet and a depth of 96 feet 11 inches, now vacant; that Building Department records indicate that the original date of construction is unknown; that Applic. No. 375-95 was filed for the purpose of erecting an elevator and its use at that time was noted as stable; that under Alt. Applic. No. 3336-20 this building was changed from a stable and junk shop to a public garage; that temporary Certificate of Occupancy was granted for garage and repair shop; that on July 12, 1923 Certificate of Occupancy was granted for storage in the basement; first floor—stable, garage and repair shop; second and third floors—stable; that on April 5, 1921 the Board granted a variance to permit structural alterations and permit the building to be used as a public garage and Certificate of Occupancy No. 8886-24 was issued November 26, 1924 as follows: cellar—storage; first, second and third floors—garage for more than five autos; that Alt. Applic. No. 637-53 was filed and some stairways were enclosed, improving the exit facilities; that superseding Certificate of Occupancy No. 42516 was issued April 22, 1954 for use as follows: cellar—boiler room and storage; first, second and third floors—furniture showroom; that the last application filed was Alt. Applic. No. 1695-56 and Cal. No. 298-57-BZ and Cal. No. 299-57-A to change the occupancy of the present building from furniture showroom to storage and garage for more than five cars; that it is proposed to change the use of the present building for the legal use of furniture showroom to—cellar—boiler room, storage room and toilets; first floor—supermarket; second floor—storage; third floor—storage; and

WHEREAS, the applicant contends that the change of use of this building from one legal non-conforming use of furniture showroom to another non-conforming use of supermarket and storage would be in complete harmony with the general purpose and intent of the zoning law and would be most beneficial to the entire area; and

WHEREAS, the applicant states that the present owner has held title to the property since January 13, 1958; that the assessed valuation of land is \$16,500 and of the building \$68,500 making a total of \$85,000; that the building was erected prior to 1895; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and the committee recommended that the change of use as proposed should be permitted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted under Vol. I, on October 29, 1957, by adding thereto:

"that in the event the owner desires to change the use of the building from furniture showroom, as previously permitted, to supermarket such change may be made as now proposed and as indicated on plans filed with this application marked "Received April 14, 1958", 12 sheets, on condition that the building shall not be increased in height or area and any requirements of the resolution above cited insofar as they have reference to structural conditions shall be complied with, other than as modified by resolution adopted this day under Cal. No. 299-58-A; and that all permits shall be obtained and all work completed within six months from the date of this amended resolution."

299-58-A

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application April 14, 1958—Appeal from a decision of the Borough Superintendent, re stairs, live load, etc.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Cohen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated March 17, 1958 on Alt. Applic. 1695/56 reads:

"2. Provided two enclosed stairs both leading to roof and street Sec. C26-273.0 A.C.

3. 2nd & 3rd floors must have live load capacity of 120 lbs. per square foot—Sec. C26-345.0 A.C."

and

WHEREAS, the applicant states that the building is 3 stories, 40 feet 4 inches in height, 75 feet by 96 feet 11 inches in area, of class 3 construction, erected prior to 1895, located on a lot 75 feet front by 100 feet 11 inches in depth, in a residence use, B area, class 1½ height district, and used and occupied: cellar—boiler room now vacant and storage; 1st floor—furniture showroom now vacant; 2nd floor—furniture showroom now vacant; 3rd floor—furniture showroom now vacant; that it is proposed to be used and occupied as follows: cellar—boiler room, storage and toilets; 1st floor—supermarket, 74 persons; 2nd floor and third—storage, no persons; that the building is provided with two existing wood stairs, fire retarded and fireproof enclosed, equipped with fireproof self-closing doors, extending to roof bulkhead, 1 stairs extends to street, in addition there is 1 fire escape on the front extending to street by ladder; that windows and doors on the course of the fire escape, are fireproof self-closing; and

WHEREAS, the applicant states that Application Number 375 of 1895 indicates that the building is an existing building used as a stable under Alt. Applic. 3336/20 the use was changed from stable and junk shop to public garage, and temporary certificate of occupancy was issued February 8, 1922 permitting part of the 1st floor to be used as a garage and repair shop; that on July 12, 1923 certificate of occupancy was issued for storage in the basement, stable, garage and repair shop on the 1st floor and stable on 2nd and 3rd floors; that on April 5, 1921 the Board granted a variance to permit structural alterations and the use of the building as a public garage; that Certificate of Occupancy 8886/24 was issued permitting the following use: Cellar—storage; 1st, 2nd and 3rd floors—garage for more than 5 motor vehicles; that Alt. Applic. 637/53 was filed to enclose some stairways and improved the exit facilities; that Certificate of Occupancy 42516 was issued April 22, 1954 permitting the following use: Cellar—boiler room and storage; 1st, 2nd and 3rd floors—furniture showrooms; and

WHEREAS, the applicant contends as to Objection #2 issued by the Borough Superintendent, that the building is provided with 2 enclosed stairways, one from roof to street and the second from roof to the 2nd floor and then to a fire escape provided with sliding drop ladder to the street; that the building is provided with an elevator from 3rd floor to the 1st floor; that the 2nd and 3rd floors will have no permanent occupancy and will be used only for the storage of groceries sold in the supermarket on the 1st floor; that the proposed use is not hazardous and therefore the exits are adequate; and

WHEREAS, the applicant contends as to Objection #3 issued by the Borough Superintendent, that the 2nd and 3rd

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floors have a live load capacity of 100 lbs, per square foot; that this load will be posted and will not be exceeded; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the change of use as proposed should be permitted under certain conditions.

Resolved, that the decision of the Borough Superintendent, dated March 17, 1958, acting on Alt. App. 1695-56 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the resolution adopted this day under Cal. No. 298-57-BZ, Vol. II shall be complied with, including the requirement that both enclosed stairs shall lead to the roof and that the liveload per superficial foot of each floor shall be not less than 120 pounds.

350-57-BZ—Vol. II

APPLICANT—Burke, Green and Groh for Joseph B. Weynert, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of a two-story building for use as doctor's office on the first floor and two efficiency apartments on the second floor having less than the required setback of 10 feet from a mapped street and without the required five (5) foot side yard.

PREMISES AFFECTED—58-44 Main Street, west side of, 20.74 feet north of 59th Avenue, Block 6378, Lot 40. Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 10, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, D-1 area, class 1 height district; that these designations have not been changed since July 25, 1916 with the exception of the area designation which was changed from D to D-1 area district on March 13, 1958; and

WHEREAS, the decision of the Borough Superintendent, dated April 21, 1958 acting on N.B. Applic. No. 3866-56, reads:

"1. The erection of a two family dwelling with accessory professional office in a D-1 area district without the required 5 foot side yard and setback less than 10 feet from a mapped street is contrary to Art. IV, Sec. 14-A b (d) Zoning Resolution. This objection has become necessary because of the area district change from D to D-1 subsequent to the Board of Standards and Appeals variance granted under Cal. 350-57-BZ for the omission of the required off street parking for 2 cars. You must refer this case back to the B. of S. & A. for its determination."

and

WHEREAS, the applicant states that the premises consist of a plot, 20.74 feet frontage by 111.87 feet in depth, irregular and vacant; and

WHEREAS, the applicant states that these are the same premises that were before the Board for a variance in February of 1958; that at that time, the Board made a variance allowing the erection of a two family building, the first floor of which is to be used as a doctor's office and the second floor for two efficiency apartments; that at that time, the objection was issued on the fact that there was not suffi-

cient parking or garage space for two cars; that after a full hearing, the Board granted a favorable decision allowing the construction of the building as proposed on plans, without the necessary garage spaces; that the owner then filed for a building permit and was granted temporary approval on March 10; that on March 13 approval was withdrawn on the basis that the area designation had been changed and that the building could not be constructed because it did not contain the required five foot side yard and was set back less than ten feet from the mapped street; that therefore, this case is referred back to the Board; and

WHEREAS, the applicant contends that inasmuch as working drawings have been filed for the erection of this house, and inasmuch as up to March 13, 1958 these premises could be erected, and inasmuch as the houses on the same block are all attached brick houses of similar nature to Dr. Weynert's proposed dwelling, it would indeed be a hardship at this particular stage not to allow the construction of the proposed premises and therefore the Board is asked to reconsider this matter and to grant a further variance allowing the construction of the premises as proposed without the required setback and side yard restrictions; and

WHEREAS, the applicant states that the present owner has held title to the property since March 23, 1956 and that the assessed valuation of land is \$1,000.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 11, 1958, by adding thereto:

"that the resolution adopted by the Board on February 11, 1958, is hereby affirmed, in view of the change of zoning from D to D-1 district since said resolution was adopted; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution."

622-57-BZ

APPLICANT—Sidney H. Kitzler, for Beth Shalom of Kings Bay, owner.

SUBJECT—Application September 11, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the enlargement of the first floor and the erection of a second floor to an existing one-story synagogue that will occupy more than the permitted area coverage.

PREMISES AFFECTED—2702-2710 Avenue X and 2401-2411 East 27th Street, southeast corner, Block 7422, Lot 801, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler and Morris Hannes.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958, after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; then to July 8, 1958, at 10 A.M. for statement from applicant as to definite use of proposed premises; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Avenue X, East 27th Street, East 28th Street and Avenue Y are in a residence use, D area and class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated August 15, 1957, acting on Alt. Applic. 1238-57, reads:

"1. The area of the structure as proposed exceed the area permitted by the Zoning Resolution Art. IV, Sect. 14."

and

WHEREAS, the applicant states that the premises consist

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of a plot, 100 feet frontage, by 100 feet in depth, the easterly portion of the property at the rear, there are two one story frame buildings, one measuring 15 feet by 26 feet and the other 16 feet 6 inches by 28 feet 4 inches; that it is proposed to extend and enlarge the existing synagogue building, creating a new religious school on the proposed 2nd floor, enlarging the synagogue and providing a caretaker's apartment, a small chapel, general offices and a study on the 1st floor, and in the proposed cellar, provide a ballroom, kitchen, boiler room, etc.; that the roof of the building will be used for outdoor athletic activities; and

WHEREAS, the applicant contends that due to the extreme demand for additional parochial school facilities, for use by the children in the neighborhood, the Congregation erected the two small frame buildings, #2 and #3 at the rear of the lot; that the neighborhood developed so fast that the facilities of the original new building were inadequate within 2 years after completion of same; that there has been a concerted and determined effort over the past two or three years to raise the money required to enlarge, extend and increase the facilities, in order to keep pace with the growth of the general neighborhood; that the two small frame buildings which are in violation of the law shall be demolished as soon as the additional facilities are available for classroom study by the children of the neighborhood; that the area of the existing building is 3790 square feet; that the area of the proposed extension is 4434 square feet, making a total of 8224 square feet; that the Zoning Resolution permits an area of 6250 square feet, so that the proposed enlargement will be 1974 square feet in excess of the area permitted, or approximately 31% in excess area; that the proposed plan to enlarge and increase facilities is actually the minimum which will provide proper arrangement for religious services, a parochial school and social activities; that under the law, no rear yard is required; that we are providing a 15 foot yard where the plot abuts a residential plot, there will be a side court, extending the full depth of the lot; that this court abuts the rear yards of the residence buildings on East 38th Street; that there will also be a 5 foot setback at the front of the building on Avenue X; that the total height of the building shall not exceed 40 feet to the roof of same; that there is an urgent need for this proposed improvement; that the enrollment in the parochial school includes practically every child within the radius of about ½ mile; that the social facilities to be provided is in demand for the older children, or teen-agers, because of the provision to be made for social activities and recreational facilities; that there is no doubt that the granting of this variance will in no way adversely affect any adjoining property owner or any other person or property in the vicinity; that directly opposite the site, on Avenue X, there is a large open plot, entirely occupied for the storage and sale of used building materials; that we respectfully ask your favorable consideration in this matter, so that this improvement may proceed for the betterment and improvement of the citizens and future citizens living in this neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since April, 1950; that the assessed valuation of the land is \$8200 and of the building \$22,800, making a total of \$31,000; and that the building was erected in 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 to permit the extension of the building substantially as proposed and indicated on plans filed with this application,

marked "Received September 11, 1957", 8 sheets, and "March 13, 1958", 1 sheet, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the general use shall comply with the provision and limitations of Article 2, Section 3 of the Zoning Resolution; that all functions in the ballroom shall be sponsored only by the congregation or any member or group of the congregation; that no person or organization not affiliated with the organization shall be permitted to hire or lease the premises for any purpose; that a Certificate of Occupancy shall stipulate the limitations of this use and occupancy; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

915-57-BZ

APPLICANT—Charles A. Buckley, Jr., for Stanton Management Inc., owner.

SUBJECT—Application December 16, 1957—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, office, lubritorium, minor repairs, sale of auto accessories, auto laundry and the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—3625 Eastchester Road, 1495-1499 Oakley Avenue, northwest corner and 1144-1148 East 222nd Street, Block 4716, Lot 28, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice J. Schulkind.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for further inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Oakley Avenue and Laconia Avenue are in retail and residence use, C area, class 1 height districts; Eastchester Road and East 222nd Street are in a retail use, C area, class 1 height district; that on July 25, 1916 the portion within 100 feet from East 222nd Street was in a business district and the remainder was in a residence district; that on March 21, 1927 the portion within 100 feet from Eastchester Road was placed in a business district; that on October 15, 1941 the portion within 100 feet from East 222nd Street was placed in a retail district and the remainder was placed in a residence district; and

WHEREAS, the decision of the Borough Superintendent, dated December 6, 1957 acting on N.B. Applic. No. 156-56, reads:

"1. Proposed use of gasoline station, office, lubritorium, minor repairs, sales of auto accessories, auto laundry and parking and storage for more than five motor vehicles partly in residence and partly in retail use district is contrary to Art. II Sect. 3 and 4-A of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 220.2 feet and 52.83 feet frontage by 138.95 feet and 74.28 feet in depth, irregular; that it is proposed to develop the site as a gasoline service station; and

WHEREAS, the applicant states that the building proposed to be constructed would be located principally in the retail section of the plot; that both Eastchester Road and 222nd Street are principal traffic arteries for this section of the Bronx and both carry, in addition to substantial passenger travel, heavy commercial vehicle traffic; that both streets have also been developed with many commercial enterprises

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and it is anticipated that as the development of this section in The Bronx continues, the commercialization of both these streets will be accelerated; and

WHEREAS, the applicant contends that the property is at present undeveloped, overgrown with brush and badly lighted; that under present conditions it appears improbable that the owner can utilize this property for any other alternative purpose or prevent its continuing existence as an eyesore, and to some extent, a hazard in the neighborhood; that diagonally across Eastchester Road there is located a gas station servicing the northbound traffic and that there is a need for a station servicing southbound traffic; that adjoining the site on East 222nd Street there is located an office with an accompanying garage and in addition the outside parking of many large trucks; that the development of this site as a gas station represents the only feasible development of the property in the foreseeable future; and

WHEREAS, the applicant states that the present owner has held title to the property since February 4, 1956 and April 6, 1956 and that the assessed valuation of land is \$12,300; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7 f for a term of fifteen years to permit the premises to be occupied as proposed as a gasoline service station and uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received December 16, 1957", 3 sheets, and "April 30, 1958", one sheet, on condition that all buildings and uses shall be removed and the premises shall be leveled substantially to the grade of Eastchester Road and East 222nd Street and shall be arranged and constructed as indicated on such plans; that the accessory building shall be of the design and arrangement and location as shown and shall comply with the requirements of the Building Code and shall have no cellar and shall be faced on all sides with face brick; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line of Eastchester Road; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that on the lot lines to the south and east, where fences are shown, there shall be erected a masonry wall of brick matching the brick of the accessory building not less than three feet in height and with piers and steel picket fence carried to a total height of not less than five feet six inches; that suitable terminating posts shall be erected where such walls meet the building line; that curb cuts shall be restricted to curb cuts each 30 feet in width consisting of four to Eastchester Road, one to Oakley Avenue and one to East 222nd Street; that the latter two curb cuts may be reduced to twenty feet instead of thirty feet if the owner so desires; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that under Section 7i, for a similar term, there may be minor repairing with hand tools only for adjustments maintained solely within the accessory building; that under Section 7h, for a similar term, there may be parking and storage of motor vehicles so parked on the premises as not to interfere with the servicing of the station; that signs shall be restricted to permanent signs attached to the facade of the accessory building, facing Eastchester Road, and to the illuminated globes of the pumps, excluding all roof signs and advertising devices but permitting the erection within the premises of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend over the building line of Eastchester Road for a distance of not over four feet; that

such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

949-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Pelham Bridge Realty, Inc., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7f, 7e and 7A of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, minor repairs with hand tools only, office, sale of accessories with show windows and business entrances within 75 feet of the residence use district.

PREMISES AFFECTED—2100-2110 Williamsbridge Road and 1141-1151 Lydig Avenue, northeast corner, Block 4310, Lots 30 and 33, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: Chairman Murdock 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; laid over to June 24, 1958, for inspection and decision; hearing closed; then to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Williamsbridge Road and Lydig Avenue are in residence and retail use, E-1 and C area, class 1½ height districts; Pelham Parkway and Yates Avenue are in a residence use, E-1 area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 18, 1957 acting on N.B. Applic. No. 1171-57, reads:

"1. In a retail & residence district the proposed gasoline service station, car wash, lubritorium, minor repairs with hand tools only, office, sale of accessories & service is contrary to Sect. 3 & 4-A of Art. II, Zoning Resolution.

"2. The location of entrances and show windows must conform with Sec. 7-A Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100.22 feet frontage by 111.60 feet in depth; that it is proposed to level the plot to the grade of Williamsbridge Road and Lydig Avenue and erect a gasoline service station, three bay and accessory store and office, with a car wash and minor repairs with hand tools; that the structure will be erected of face brick and in keeping with the deed covenants; that the building will have a frontage of 57 feet 10 inches facing Williamsbridge Road, with a depth of 28 feet 8 inches; that the south portion will be two stories in height, in keeping with the restrictive covenant; that access to the station will be by means of two 30 foot curb cuts on Williamsbridge Road and two 30 foot curb cuts on Lydig Avenue; and

WHEREAS, the applicant further states that the following is a copy of the restrictive covenant for this area: the party of the second part for himself, his heirs and assigns make the following covenants with the party of the first part, its successors and assigns, which it is stipulated shall run with and bind the land, viz: that no part of the said premises shall ever be used for horse racing or steepchasing purposes; that neither the said party of the second part, nor his heirs or assigns shall erect any buildings upon the premises hereby conveyed that shall cost less than \$3000

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or shall be less than two stories in height or shall prior to Jan. 1925 erect or permit on any portion of said premises any cow stable, slaughter house, piggery, brass foundry, nail or iron foundry, brewery, or distillery, fertilizing manufactory or a manufactory of gun powder, dynamite, glue, vitriol, ink, turpentine or for tanning, dressing or preparing of skins, hides or leather or for boiling or manufacturing of baking powder or cream of tartar or any other offensive, noxious or dangerous trade or business whatever. This covenant, however, shall not prevent the erection of any automobile garage for the private use of the owner or tenant of the premises; and

WHEREAS, the applicant contends that Williamsbridge Road is a very busy highway forming one of the direct connections from White Plains Road to East Tremont Avenue; that Williamsbridge Road is in the process of being widened in the East Tremont section to facilitate traffic; that Williamsbridge Road is a 100 foot avenue; that Lydig Avenue is a 60 foot avenue of the ordinary type, with normal traffic; that there are many non-conforming uses in the vicinity and also there is a large portion of vacant property in the area; that the automotive industry has quite a large number of places in this area along Williamsbridge Road, such as gas stations, parking of motor vehicles, motor vehicle repair shop, factory manufacturing plastics and small stores and sales of used cars; that the property in this area is not ready to be developed into apartment houses or stores as there is not enough population about to support a new development of this type, plus the lack of good transportation; that a gas station can get enough business from the transients that traverse Williamsbridge Road; that the new owner will conform to any conditions imposed by the Board to enhance the property to have same in keeping with surrounding property; and

WHEREAS, the applicant states that the present owner has held title to the property since June 3, 1957 and that the assessed valuation of land is \$18,100; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f, i and 7A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7f for a term of fifteen years to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto, substantially as proposed and as indicated on plans filed with this application marked "Received December 20, 1957", 6 sheets, and "April 25, 1958" one sheet, on condition that all uses now on the premises shall be removed and the premises leveled substantially to the grade of the abutting streets and shall be arranged and constructed as indicated on such plans; that the accessory building shall be of the design and arrangement and location as indicated on such plans and shall be faced on all sides with face brick and shall have no cellar and in all other respects shall comply with the requirements of the Building Code; that pumps shall be of a low approved type erected not nearer than fifteen feet to the building line of Lydig Avenue and Williamsbridge Road, as shown; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that on the lot lines to the north and east there shall be a brick masonry fence-wall, properly coped, to a height of not less than five feet six inches; that such fence-wall at each building line may be reduced to a height of not less than four feet six inches for a distance from the street line of not over ten feet; that curb cuts shall be restricted to two curb cuts each thirty feet in width to Williamsbridge Road and two of similar width to Lydig Avenue; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to per-

manent signs attached to the facade of the accessory building facing Williamsbridge Road and to the illuminated globes of the pumps, excluding all roof signs and temporary signs but permitting the erection within the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over four feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require; that under Section 7i, for a similar term, there may be minor repairs with hand tools only for adjustments and maintained solely within the accessory building; that under Section 7A any show windows or business entrances within 75 feet of the residence use district may be permitted; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

14-58-BZ

APPLICANT—Frederick A. Ketcher, for Benjamin Kurtin and Louis Fayne, Partners.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the parking and storage of more than five (5) motor vehicles. PREMISES AFFECTED—1268 Shakespeare Avenue, east side, 100.3 feet, south of West 169th Street, Block 2506, Lot 85, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Shakespeare Avenue are in a local retail use, B area, class 1½ height district; West 169th Street and West 168th Street are in local retail and business use, B area, class 1¼ height districts; Edward L. Grant Highway is in a business use, B area, class 1¼ height district; that the site was in a business use district from 1916 to May 20, 1952 at which time it was changed to local retail; that there has been no change in height and area district since 1916; and

WHEREAS, the decision of the Borough Superintendent, dated January 7, 1958 acting on Alt. Applic. 1204-57, reads:

"1. The proposed use for the lot as a parking lot for more than five motor vehicles in a local retail district is contrary to Article II Sec. 4c of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, presently unimproved; that it is proposed to surface the plot at the existing grade with steam cinders treated with a suitable binder and properly rolled; that it is also proposed to erect a 5 foot 6 inch high chain link fence along the property lines where no other fences, buildings and walls occur; that it is further proposed to provide a 12 foot curb cut, to provide one entrance on Shakespeare Avenue and install a sliding gate; provide substantial humpers along all property lines and limit the premises to one non-illuminated regulation size rate sign within the building line, attached to the front fence; and

WHEREAS, the applicant states that under N.B. Applic. No. 2754 of 1927 application was filed for a total of 13 metal garages; that the inspector reported the job was started

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February 1, 1928 and completed May 7, 1928, and Certificate of Occupancy No. 689 of 1928 was issued for the storage of 13 motor vehicles; that Borough President records show that Permit No. 13733-1934 was issued for a 12 foot curb cut, which cut still exists; that no record was available which could establish the date the garages were demolished; that subsequently the premises was taken over by The City of New York for a tax lien, and the present 9 foot high wire fence was erected at the building line; and

WHEREAS, the applicant further states that there will be no daily parking; that space will be available only on a monthly basis and each parker will be assigned a permanent parking space; that the gate will be kept locked at all times when the plot is not in use, and the plot will be limited to the parking of only 24 cars; that the plot will be kept orderly and clean at all times and only cars of the pleasure type will be parked; that the premises will be used by tenants in the adjoining apartment houses and premises; that it would definitely be a great convenience for these tenants; that although the plot is only 5000 square feet, it would be a contribution towards eliminating some of the present street parking and reducing traffic congestion; and

WHEREAS, the applicant states that the present owners have held title to the property since December 10, 1957 and that the assessed valuation of land is \$11,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h, for a term of 5 years to permit the premises to be occupied by the parking and storage of motor vehicles of the pleasure car type only substantially as proposed and indicated on plans filed with this application, marked "Received January 17, 1958", 3 sheets, and "April 16, 1958", 1 sheet, and "June 30, 1958" 1 sheet and "January 30, 1958", 1 sheet, *on condition* that the premises shall be graded substantially to the grade of Shakespeare Avenue with a slope of not over 5 per cent, as proposed, toward the east and surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that at the rear, toward the south and east, against the adjoining areas there shall be erected on the existing retaining walls belonging to others and with the permission of the owners thereof, a woven wire fence of the chain link type 5 feet, 6 inches in height provided such retaining walls are carried up to the grade of the parking lot; that concrete bumpers shall be maintained against such fence at these points, of such strength as to prevent danger to motor vehicles; that other bumpers of suitable types shall be maintained against the north and south walls for protection thereto; that a woven wire fence of a chain link type shall also be erected on the street building line with not over one opening therein, and not over 10 feet in width and fitted with gates and with curb cut not over 12 feet in width; that the sidewalk in front of the premises shall be reconstructed to the satisfaction of the Borough Superintendent; that signs shall be restricted to one sign attached to the fence, advertising the parking and storage use, and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed 5 square feet in area, shall not be illuminated and shall not extend beyond the building line; and that all permits shall be obtained within 6 months from the date of the Resolution and a Certificate of Occupancy shall be obtained.

18-58-BZ

APPLICANT—Patrick D. Concagh for Marie A. Peduto, owner; International Mill Work Corp., lessee.

SUBJECT—Application January 17, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the change

in use in the premises from factory to saw and planing mill.

PREMISES AFFECTED—3308 Edson Avenue, northeast corner of Givan Avenue, Block 4881, Lots 75 and 77, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a business use, D area, class ½ height district; Givan Avenue is in business and residence use, D and C area, class ½ height districts; Edson Avenue is in business and residence use, D and D-1 area, class ½ height districts; Baychester Avenue is in a residence use, C area, class ½ height district; that on July 25, 1916 the site and area immediately surrounding were located in an unrestricted use, C area, class 1 height district; that on October 18, 1949 the area immediately surrounding the site was changed from unrestricted use to business and residence; that the subject plot, as well as properties on Edson Avenue, south of Givan Avenue, was included in the business zone; that Givan Avenue, for three blocks west of the site, was also zoned for business use, which is the present use designation; that on August 26, 1954 both the area and height designations were changed from C to D and from class 1 to class ½ respectively, their present designations; that there is no application pending at the present time for any change of zone; and

WHEREAS, the decision of the Borough Superintendent, dated December 18, 1957 acting on Alt. Applic. No. 1165-57, reads:

"1. The use and occupancy of the building in a Business Use District as a Saw and Planing Mill is contrary to Article II Sec. 4 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth and is improved by a one story, class 3 masonry structure, built of concrete block, stuccoed on the outside; that the roof and roof beams are of frame construction; that the building was constructed under N.B. Applic. No. 151-49 and Certificate of Occupancy No. 8820 was issued on December 8, 1950; that the side extension on the north was erected under Alt. Applic. No. 726-55 and completed on November 29, 1955 for which Certificate of Occupancy No. 17696 was issued on November 30, 1955 for use as factory; that it is proposed to change the legal use of factory to a power saw and planing mill; and

WHEREAS, the applicant states that the work of this tenant is restricted solely to the fabrication of window frames, doors, cabinets, etc., for the Board of Education for use in various schools throughout the City; that for this purpose, the tenant uses power saws, planers, edgers, etc. and to carry on this work a supply of lumber must be kept handy; that this lumber is being stored temporarily outside the extension building at the front and a shed has been erected as protection against the elements; that the plot is enclosed by a seven or eight foot solid wood fence with a gate at front which is always locked when the building is not in operation; that the building is in operation on a five day week basis, from 8:30 A.M. to 4:30 P.M., Monday to Friday, inclusive; and

WHEREAS, the applicant further states that the subject building is now being illegally used as a power saw and planing mill, for which Violation No. 62-57 was issued on

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August 21, 1957; that up until the end of February 1957, the premises were occupied by a tenant who was engaged in the manufacture of paint brushes and paint rollers, and thereafter the building was vacant for approximately three months; that during this interim, the owner was in contact with several real estate brokers in order to secure a new tenant; that the present tenant was finally obtained and entered into possession under the terms of a lease which runs for a five year period from June 1, 1957 to May 31, 1962; that both owner and lessee acted in good faith in this transaction; that both were represented by counsel in the drafting and execution of the lease but neither one knew, nor were they advised that the proposed use and occupancy would result in a violation; and

WHEREAS, the applicant contends that a grant of this application will not adversely affect any properties within the surrounding area since there are other uses in close proximity to the site which are far more objectionable; that these uses include the cutting of marble, welding and auto body repairs, gas stations as well as a dyeing establishment maintained by the Commonwealth Color and Chemical Company in block 4658, lot 55; and

WHEREAS, the applicant states that the present owner has held title to the property since January 16, 1952; that the assessed valuation of land is \$7,500 and of the building \$38,000 making a total of \$45,500; that the building was erected in 1950; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e, for a term of five years, to permit the use and occupancy of the building for woodworking with woodworking tools, as proposed and shown on plans filed with this application, marked "Received January 17, 1958", 3 sheets, and "May 21, 1958", 2 sheets, *on condition* that the machine tools for the woodworking shall be as indicated on floor plan of existing conditions and such tools shall comply with the requirements of the Labor Law, including a cyclone exhaust system as may be required thereunder; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto including such fire fighting equipment as the Fire Commissioner shall require; and that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this resolution.

59-58-BZ

APPLICANT—J. G. L. Molloy for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing twelve (12) story and penthouse building, from multiple dwelling to offices.

PREMISES AFFECTED—140 East 40th Street, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin;

laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; East 40th Street is in retail and residence use, B area, class 1½ height districts; East 39th Street is in retail and residence use, B area, class 1½ height districts; Third Avenue and Lexington Avenue is in a retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 24, 1958 acting on Alt. Applic. No. 1748-57, reads:

"1. Proposed change in occupancy from residence to office use, in a Residence use district is contrary to Article II Section 3 of the Z. R."

and

WHEREAS, the applicant states that the premises consists of a plot, 72 feet frontage by 98 feet 9 inches in depth, presently occupied as a twelve story apartment house; and

WHEREAS, the applicant states that the residence section south of Grand Central Terminal is changing to business uses and retail and restricted retail uses; that the premises are located in a residence use district which is rapidly changing; that the particular block in which the building is located is zoned for retail use 100 feet east of Lexington Avenue and 100 feet west of Third Avenue; that the center of the street on the north side between the two 100 foot retail district lines is zoned for restricted retail use; that the south side of East 40th Street between Lexington Avenue and Third Avenue is zoned for retail use for a depth of 100 feet east of Lexington Avenue and for a depth of 100 feet west of Third Avenue; that the center of the block on the south side is zoned for residence so that the above premises are in a residence use district; that only 220 feet on the south side of this block is zoned for residence and part of this area is already being used for business; and

WHEREAS, the applicant further states that at the southeast corner of East 40th Street and Lexington Avenue there is a hotel with stores on the first floor and at the southwest corner of East 40th Street and Third Avenue there is a combination bar and restaurant; that directly opposite at the northwest corner of East 40th Street and Third Avenue there is another combination bar and restaurant, and at the northeast corner of East 40th Street and Lexington Avenue there is a 22 story office building under construction; that this latter office building extends 170 feet east of Lexington Avenue and for 46 feet is directly opposite the above premises; that diagonally across the street from the above premises there are garages; and

WHEREAS, the applicant contends that East 40th Street between Lexington Avenue and Third Avenue will ultimately be completely taken over for business uses, and certainly a change in use of the above building as proposed will in no way be a detriment to this block or in any way detract from the appearance of the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since September 1943; that the assessed valuation of land is \$140,000 and of the building \$385,000 making a total of \$525,000; that the building was erected in 1931; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of twenty years, to permit the building now occupied as a multiple dwelling to be occupied for business offices throughout, as proposed and indicated on plans filed with this application, marked "Received February 18, 1958", 6 sheets and "May 1, 1958", 1 sheet, "May 16, 1958", 5 sheets, *on condition* that the business occupancy shall be solely for offices

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without factory work or other types of occupancy; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board this day under Cal. No. 60-58-A; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

60-58-A

APPLICANT—J. G. L. Molloy, for 140 East 40 Corp., owner.

SUBJECT—Application February 18, 1958—Appeal from a decision of the Borough Superintendent, re live load.

PREMISES AFFECTED—140 East 40th Street, south side, 124 feet east of Lexington Avenue, Block 895, Lot 66, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated January 29, 1958 on Alt. Applic. 1798/57, reads:

"2. For office use the framing of floors must be good for a live load of 50#/sq.ft."

WHEREAS, the applicant states that the building is 12 stories and pent house, 120.3 feet in height, 72 feet front by 78 feet 9 inches in depth, of fireproof construction, erected 1931, located in a residence use, B area, class 1½ height district, and used and occupied since erected as a class A Multiple Dwelling, and proposed to be used and occupied as follows: Cellar—storage and machine room; 1st to 12th floors—offices, 30 persons per floor; penthouse—offices, 30 persons; that the building is provided with an approved standpipe system, two 3 foot ½ inch wide fireproof interior stairs, enclosed in block, equipped with fireproof self-closing doors and leading from roof bulkhead direct to street; and

WHEREAS, the applicant states that the existing live load is 40 pounds per square foot; and

WHEREAS, the applicant contends that it would be an extreme hardship to be required to reinforce any portion of this structure so as to sustain the legal live load of 50 pounds per square foot; that an increase in the live load capacity would in no way add to the safety of the structure, since the uses will be confined to offices only with not more than 30 occupants to a floor and there will be no factory or other industrial use of any portion of the premises; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated January 29, 1958, acting on Alt. Applic. 1798/57. Objection 2, be and it hereby is *modified and that the appeal* be and it hereby is *granted on condition* that the loading of the floors throughout shall be not less than 40 pounds per superficial foot and that such loads shall be posted; that in all other respects the requirements of the resolution adopted by the Board this day under Cal. No. 59-58-BZ shall be complied with.

66-58-BZ

APPLICANT—John J. Tricarico, for Empire Fuel Co., owner.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the change in use of an existing one-story building from office, garage for five (5) trucks and storage of riggers equipment to office and storage of fuel delivery trucks.

PREMISES AFFECTED—1638 8th Avenue, west side, 100 feet south of Windsor Place, Block 1112, Lot 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Bromberg.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 8th Avenue are in a local retail use, C area, class 1 height district; Windsor Place and Prospect Avenue are in local retail and residence use, C area, class 1 height district; 7th Avenue is in a business use, C area, class 1 height district; that as of July 25, 1916 the property was zoned as a business use district and the present local retail designation became effective on May 10, 1956; that the height and area designations became effective July 25, 1916; and

WHEREAS, the decision of the Borough Superintendent, dated January 27, 1958 acting on Alt. Applic. No. 4017-57, reads:

"1. Proposed change of occupancy in a Local Retail District to office, garage for more than five (5) motor trucks for owners use and one 550 gal. gas tank for owners use only is contrary to Art. II, PP. 4c of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet ¾ inch frontage by 100 feet in depth; that it is proposed to use the premises mainly for office and storage of fuel oil delivery and service trucks and building will be owner-occupied by the Empire Fuel Company; that this company delivers oil and renders oil burner service to homes in the vicinity; and

WHEREAS, the applicant states that the building on the premises was erected under N.B. Applic. No. 13103-29 for use as ice storage plant; that under Alt. Applic. No. 259-52 the occupancy was changed to its present legal use, and Certificate of Occupancy No. 134628 was issued for offices, garage for five trucks and storage of riggers equipment; also vehicles to be stored; property of the occupant and gasoline stored and used for occupant's own trucks only; and

WHEREAS, the applicant contends that this structure is designed for this type of occupancy and now is legally occupied by five fuel oil trucks and therefore can be utilized without structural or material changes in granting this variance; that the actual physical dimensions of the building, 50 feet by 75 feet 4 inches, limits the amount of trucks which can be stored within and therefore the number of five trucks increased will be relatively minor; that this small difference in the number of trucks stored cannot possibly create any new annoyance or hazard to the surrounding community; and

WHEREAS, the applicant states that the present owner has held title to the property since November 1955; that the assessed valuation of land is \$8,000 and of the building \$18,000 making a total of \$26,000; that the building was erected in 1929; and

WHEREAS, the applicant changed his basis of appeal from Section 7c to Section 7e of the Zoning Resolution; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit an existing building to be occupied for the storage of oil delivery trucks be-

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longing to the owner of the site, as proposed and indicated on plans filed with this application marked "Received February 7, 1958", 4 sheets and "May 16, 1958", 1 sheet, *on condition*, that such trucks shall contain no oil when stored in the garage; that the building shall not be increased in height or area; that the existing gasoline pump, permitted by the Fire Department, may be permitted to continue, but only to furnish gasoline to owner's trucks and not for sale to passing motor vehicles; that the portion of the premises unbuilt upon shall be enclosed as shown on above-mentioned plans; that a new woven wire fence of the chain link type not less than 5'6" in height including masonry base with no openings therein except one to 8th Avenue shall be maintained, fitted with a gate and with curb cut opposite, as previously permitted under Permit A9634; that such fence shall be continued from the building along the side lot line to the south and along the building line, but may be omitted along the northerly lot line if there is a masonry wall on the lot line of the adjoining premises; that the sign now on the premises shall be removed and a sign may be substituted attached to the fence near the entrance, not exceeding five square feet in area; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

81-58-BZ

APPLICANT—James E. Vassalotti, for Thomas A. Cangel, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the change in use of two adjoining one-story buildings from processing and fabricating of gold for jewelry manufacturing and storage of five (5) motor vehicles to a garage for the parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—267-269 Elizabeth Street, west side, 83 feet, 5¾ inches south of East Houston Street, Block 508, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Elizabeth Street, Mott Street, East Houston Street and Prince Street are in a business use, B area, class 2 height district; that as of July 25, 1916 the premises were in an unrestricted use district and received the present use designation on June 17, 1926; and

WHEREAS, the decision of the Borough Superintendent, dated February 19, 1958 acting on Alt. Applic. No. 1820-57, reads:

"1. Proposed garage for parking and storage for more than five motor vehicles in a Business Use District is contrary to Article II, Section 4(a)(15) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet 5¾ inches frontage by 87 feet 1 inch in depth, now developed with two, one-story buildings of class 3 construction, having a combination frontage of 50 feet 5¾ inches on Elizabeth Street, a depth of 87 feet, 1 inch, and are presently vacant; that it is proposed to change the legal uses of the present vacant buildings to garage for parking and storage of more than five motor vehicles, for a tempo-

rary period of fifteen years; and

WHEREAS, the applicant states that No. 267 Elizabeth Street was erected under Applic. No. 107-1947 for use as storage of plumbing supplies, and Certificate of Occupancy No. 33472 was issued for said use; that the building was later altered under Alt. Applic. No. 441-1948 and the use changed to processing and fabricating of gold for jewelry manufacturing, and Certificate of Occupancy No. 33966 was issued for said use; that No. 269 Elizabeth Street was erected under N.B. Applic. No. 106-47 for use as storage of five motor vehicles and Certificate of Occupancy No. 33653 was issued for said use; and

WHEREAS, the applicant contends that the site is located in one of the most congested areas in New York City and inasmuch as parking and storage of motor vehicles is permitted in a business use district, this same use, enclosed in the present building, cannot possibly effect any of the adjoining properties; and

WHEREAS, the applicant states that the present owner has held title to the property since March 14, 1947; that the assessed valuation of land is \$14,000 and of the building \$31,000 making a total of \$45,000; that the building was erected in 1947; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of five years, to permit the two adjoining existing buildings to be occupied as proposed for the storage of motor vehicles, as proposed and indicated on plans filed with this application, marked "Received February 25, 1958", 5 sheets and "May 14, 1958", 1 sheet, *on condition* that such storage of motor vehicles shall be confined to not over three small trucks owned and operated by the owner and the balance for pleasure cars only; that the buildings shall not be increased in height or area and in all other respects shall meet the requirements for a garage building; that the front facades of the buildings shall be put in clean condition, with no signs, except a sign below the parapet, not over ten feet in length and two feet in width, as shown on plans; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

85-58-BZ

APPLICANT—Goldwater and Flynn, for Peerless Operating Corp., and 32 East 1st Street Realty Corp., owners.

SUBJECT—Application February 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, after demolition of the two existing buildings, the erection and maintenance of a gasoline service station, lubricatorium, car washing, office, storage and parking of more than (5) motor vehicles and minor auto repairs.

PREMISES AFFECTED—20-24 2nd Avenue and 30-32 East 1st Street, northeast corner, Block 443, Lots 1 and 62, Borough of Manhattan.

APPEARANCES—

For Applicant: Louis R. Colman and Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin;

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laid over to July 8, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 2nd Avenue, East 1st Street, East 2nd Street and First Avenue are in a business use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 5, 1958 acting on N.B. Applic. No. 148-57, reads:

"1. Proposed gasoline service station, lubritorium, car washing, office, storage and parking of more than 5 motor vehicles, and minor auto repairs, located in Business Use District, is contrary to Section 4 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 81 feet 6 inches frontage by 110 feet 8¾ inches in depth, upon which are located two buildings—one, a six-story commercial building with stores on the main floor and the upper floors authorized to be used as baths, all of which floors are now vacant, and the other is a five story multiple dwelling; that it is proposed to install two sets of gas pumps which will be set back 15 feet from the front building line; that three curb cuts are proposed, two on Second Avenue and one on First Street, to permit of easy ingress and egress to and from the proposed plot; that provisions is also to be made for 12 buried tanks in conformance with existing regulations; that there will be no regular repair work, only minor repairs incidental to the servicing of customers' cars; and

WHEREAS, the applicant states that the two lots in question are under separate ownership, the owners having joined in this application for the proposed site so as to provide plottage which will be commensurate with the type of gasoline station proposed; that a previous appeal in this matter, under Cal. No. 203-55-A was granted permitting the conversion of the six story structure to a factory occupancy; that however, in view of the fact that no commercial tenant could be obtained for these premises, it was deemed inadvisable to proceed with the alterations; and

WHEREAS, the applicant contends that these buildings have outlived their usefulness and although the owners have tried from time to time to maintain same or to convert to a more suitable use, these attempts have met with little success and it is submitted that the only available use to which the premises now lend themselves would be that of a modern gasoline station; that the owners, therefore, are making this application for a variance to permit the erection of a modern gasoline station which will comply with all existing rules and regulations; that it is to be of attractive design, set back from the avenue and with an appropriate front which would enhance the appearance of Second Avenue at this point; and

WHEREAS, the applicant further contends that Second Avenue is now a highly travelled main thoroughfare in a southerly direction; that this is the only type of improvement which would be suitable for this area and the convenience of the public would be served if a variance were granted; that it would not depreciate any value in the vicinity but would in fact serve a useful purpose; and

WHEREAS, the applicant states that the present owners have held title to the property since September 15, 1946 and September 5, 1956; that the assessed valuation of land is \$108,500 and of the building \$11,500 making a total of \$120,000; that the building was erected in 1895; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions f and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7f, for a term of fifteen years, to permit the premises to be occupied for

a gasoline service station, and lawful uses accessory thereto, as proposed and indicated on plans filed with this application, marked "Received February 17, 1958", 3 sheets, and "May 22, 1958", 1 sheet, on condition that all buildings and uses now on the premises shall be removed and the site constructed and arranged as indicated on plans above cited; that the accessory building shall be of the design and arrangement indicated, except that it shall be faced with face brick on all sides; that there shall be no cellar in the accessory building; that along the rear lot line where masonry walls of adjoining buildings do not occur, there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches; that a similar fence shall be erected across the yards of adjoining premises to the north except where walls of adjoining buildings occur on the lot line; that on the southerly lot line from the accessory building to the rear and from the front to a distance of approximately twenty feet, there shall be erected a masonry wall, faced with face brick, not less than 5 feet, 6 inches in height; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line of Second Avenue; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the balance of the premises where not occupied by accessory building and pumps shall be paved with concrete or asphalt; that curb cuts shall be restricted to two on Second Avenue, where shown, each not over 25 feet in width and one to First Street, of similar width; that the sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, there may be minor repairing with hand tools only for adjustments, maintained solely within the accessory building; that under Section 7f there may be parking of motor vehicles on such spaces as will not interfere with the servicing of the station; that signs shall be restricted to permanent signs attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all roof signs temporary signs, and advertising devices but permitting the erection within the intersection, at right angles to Second Avenue of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, which sign may extend not more than four feet beyond the building line; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

209-58-BZ

APPLICANT—Lama, Proskauer and Prober, for David and Joseph Goldstein, and Nathan Machimson, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7c and 21 of the Zoning Resolution, to permit on a plot partly in a C area and partly in an E-1 area district, the erection of a six-story multiple dwelling extending into the E-1 area district, the portion in the E-1 area district occupies more than the permitted area, eliminates the required setback and side yard and having less than the required outer court.

PREMISES AFFECTED—1140-1146 Pelham Parkway South and 2140-2150 Williamsbridge Road, southeast corner, Block 4310, Lots 1 and 53, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: L. A. Fink.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958 after due notice by publication in the

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Bulletin; laid over to July 8, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Williamsbridge Road and Lydig Avenue are in retail and residence use, C and E-1 area, class 1¼ height districts; Pelham Parkway and Yates Avenue are in an E-1 area, class 1¼ height districts, retail and residence use; that part of the premises within 100 feet of Pelham Parkway South is in a residence use district and the balance of the premises are in a retail use district for a distance of 100 feet east of Williamsbridge Road; that part of the premises within 100 feet of Williamsbridge Road is in a class C area district and the balance is in a class E-1 area district; that as of July 25, 1916 that part of the premises now zoned retail was in a business use district and received the present retail designation on December 14, 1953; that as of July 25, 1916 the entire premises was in a class C area district and on August 26, 1954 that part of the premises beyond 100 feet of Williamsbridge Road was changed to a class E-1 area district; and

WHEREAS, the decision of the Borough Superintendent, dated March 27, 1958 acting on N.B. Applic. No. 123-58, reads:

"A-1. Proposed 6 story and cellar class 'A' multiple dwelling to be occupied by 65 families and situated partly in a 'C' area and partly in an 'E-1' area Zoning District will be contrary to Sec. 15-A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 152.06 feet frontage by 138.76 feet in depth, irregular, presently vacant; that it is proposed to erect a six story apartment building of class 3 construction, having a frontage of 142 feet 10 inches on Pelham Parkway South and a frontage of 118 feet on Williamsbridge Road; and

WHEREAS, the applicant states that the apartment as proposed is permitted in the class C area part of the lot, and it is proposed to extend this apartment house into the class E-1 area of the lot; that the proposed area of the lot in the class E-1 area district is 3,977 square feet; the permitted building area in the class E-1 area of the lot is 1591 square feet; the proposed building area in the class E-1 area of the lot is 2496 square feet and therefore the building in the class E-1 area of the lot is 905 square feet in excess; that the permitted floor area is 1.9 times the lot area which equals 7,557 square feet; the proposed floor area is 14,976 square feet and therefore the floor area is 7,419 square feet in excess; and

WHEREAS, the applicant contends that the six story apartment house on adjoining lot No. 8 to the east is now a non-conforming use in an E-1 area district; that said apartment house was erected under N.B. Applic. No. 1400-52 and Certificate of Occupancy No. 13331 was issued on December 4, 1953 when the zoning was a class C area district; that the portion of our plot within the class E-1 area district is less than 4,000 square feet, with an irregular shape; that the erection of a one of two family house in compliance with E-1 rules and regulations requiring side yards and front yards of 15 feet each, would not be economically feasible, since the adjoining apartment house is now built on the street building line without a setback and on the westerly side lot line; that the proposed apartment house can also be built directly on the street building line of Pelham Parkway South in the class C area portion of the plot; that as can readily be seen, the re-zoning of such a small portion of a plot to an E-1 area district is a direct misapplication of the Zoning Law; and

WHEREAS, the applicant states that the present owners have held title to the property since March 29, 1957 and that the assessed valuation of land is \$33,000, and

WHEREAS, the premises and surrounding area where inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution, as to use, and

that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Section 7c as to use and Section 21 as to area to permit the inclusion of E-1 district as proposed in the plot for the proposed multiple dwelling *on condition* that in all respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, as shown on plans filed with this application, marked "Received April 8, 1958", 7 sheets; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 4:00 P.M.

JOSEPH J. DOYLE, Chief Clerk

REGULAR MEETING

TUESDAY AFTERNOON, JULY 8, 1958, 2 P. M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper.

266-34-SA

APPLICANT—Iron Fireman Manufacturing Company, new owner.

SUBJECT—Application for consideration for reopening and amendment of resolution as to change of ownership from Scaife Company to Iron Fireman Manufacturing Company—re Timken Silent Automatic Oil Burner, Model G and OCO-21; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 266-34-SA.

Subject: Amendment as to change of ownership.

Iron Fireman Manufacturing Co., Cleveland, Ohio, requested by filing an affidavit, dated June 6, 1958, that the resolution adopted October 23, 1934 and amended through February 5, 1957 under Calendar 266-34-SA be amended so as to show a change of ownership.

Recommendation

On the basis of the formal notification filed by the Iron Fireman Manufacturing Co., Cleveland, Ohio, that they have purchased all assets from the Scaife Company of Oakmont, Pennsylvania, including ownership and rights of the Timken Silent Automatic Co., the Committee on Test recommends that the resolution adopted October 23, 1934 and amended through February 5, 1957 under Calendar 266 34-SA be reopened and amended so as to show a change of ownership to the Iron Fireman Manufacturing Co. on condition that the requirements of the resolution adopted October 23, 1934 under Calendar 266-34-SA be complied with.

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

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Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of October 23, 1934 through February 5, 1957 in accordance with the above report.

577-49-SM—Vol. II

APPLICANT—Armstrong Cork Company, Inc., owner.
SUBJECT—Application for consideration for reopening and amendment of resolution as to marketing under additional trade name, National Gypsum Co.—“Acoustifiber”—Armstrong Cushontone with factory application of Armstrong's Fire Resistant Paint; previously approved.

APPEARANCES—

For Applicant: M. A. Gensler.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 577-49-SM—Vol. II.

Subject: Reopen and amend the resolution as to marketing under additional trade name.

Armstrong Cork Company, New York, requested by letter dated June 5, 1958 that the resolution adopted November 22, 1949 and as amended July 2, 1957 under Calendar 577-49-SM, Vols. I and II, be amended so as to permit the approved material to be marketed under an additional trade name.

Recommendation

The Committee on Test recommends that the resolution adopted November 22, 1949 and amended July 2, 1957 under the Calendar 577-49-SM, Vols. I and II, be reopened and amended so as to permit the approved acoustical tile “Cushontone” to be marketed by the National Gypsum Co. under the trade name of Acoustifiber on condition that the requirements of the resolution adopted November 22, 1949 and as amended July 2, 1957 under Calendar 577-49-SM Vols. I and II be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of November 22, 1949 and July 2, 1957 in accordance with the above report.

689-49-SM

APPLICANT—Insulrock Company, Division of The Flintkote Company, owner.

SUBJECT—Application reopening February 18, 1958 for amendment of resolution as to additional thickness of Insulrock—re SK Insulrock Insulating Roof Deck; previously approved.

APPEARANCES—

For Applicant: George Pray, Jr.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 689-49-SM.

Subject: Amendment to resolution as to additional thickness of Insulrock.

Insulrock Company, Division of Flintkote Co., Linden, New Jersey, requested by letter dated February 4, 1958, that the resolution adopted March 7, 1950 under Calendar Number 689-49-SM, be amended so as to include an additional thickness of Insulrock. The application was reopened by a vote of the Board February 18, 1958.

Purpose

The material is to be used as an incombustible structural roof deck.

Description

The material and the manufacture of the plank is the same as that approved March 7, 1950, under Calendar Number 689-49-SM.

Inspection and Test

Samples of the plank were tested at the applicants Research Center in the presence of Asst. Engr. J. A. Darts, Committee on Test in accordance with the requirements of C26-626.0 Administrative Building Code.

The plank 2½ inches in thickness was tested on a clear span of 3'-4".

The average load on three planks was 1920 lbs.

Area under test = 9.33 sq. ft.

Load in lbs./sq. ft. $1920 \div 9.33 = 205$ lbs/59 ft.

Safe superimposed load = $205 \div 4 = 51$ lbs/sq. ft.

The 2 inch plank was retested and the results were the same.

Recommendation

The Committee on Test, recommends that the resolution adopted March 7, 1950, under Calendar Number 689-49-SM be amended so as to include Insulrock plank of a thickness of 2½ inches with a clear span of 3'-4" or 3'-6" center to center for a superimposed load (live and dead) of 51 lbs/sq. ft. on condition that the requirements of the resolution adopted March 7, 1950 under Calendar Numbers 689-49-SM are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 7, 1950 in accordance with the above report.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional trade name, A. O. Smith Corp., Permaglas, Model 55JZ—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 360-50-SA.

Subject: Amendment to resolution as to additional trade name.

Automatic Burner Corporation, Chicago, Illinois, re-

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requested by letter dated May 8, 1958 that the resolution adopted October 17, 1950 and as amended through April 29, 1958 under Calendar 360-50-SA be amended so as to permit the approved oil burner Model 55J to be marketed under an additional trade name.

Recommendation

The Committee on Test recommends that the resolution adopted October 17, 1950 and amended at various times through April 29, 1958 under Calendar 360-50-SA be reopened and amended so as to permit the approved ABC Oil Burner Model 55J to be marketed by the A. O. Smith Corp., Kankakee, Illinois, under the trade name of Permaglas Model 55JZ on condition that the requirements of the resolution adopted October 17, 1950 under Calendar 360-50-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 17, 1950 through April 29, 1958 in accordance with the above report.

552-50-SA—Vol. III

APPLICANT—H. K. Woodward, for Bowser, Inc., owner.
SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional models of gasoline dispensing pumps, 1500 Series—re Bowser Self-Contained Gasoline Pumps, Models, 520-A, 521, 525, 530, 575-A, 585, 595, 596 with or without suffix K, KR and R, Models 1100, 1100R, 1101R, 1102; previously approved.

APPEARANCES—

For Applicant: Richard E. Kruse.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 552-50-SA—Vol. III.

Subject: Amendment to resolution as to additional models of gasoline dispensing pumps.

H. K. Woodward, New York for Bowser Inc., Ft. Wayne, Indiana requested by filing an application dated January 24, 1958 that the resolution adopted June 5, 1951 and amended through July 16, 1957 under Calendar 552-50-SA Vol. I and II be amended so as to include additional models of gasoline dispensing pumps. The application was reopened by a vote of the Board February 11, 1958 under Calendar 552-50-SA Vol. III.

Purpose

The appliances are gasoline dispensing pumps.

Description

The requested models are designated as the 1500 Series and are basically the same as the 1100 Series. (Approved by the Board July 16, 1957 under Calendar 552-50-SA Vol. II) the difference being in exterior styling and trim.

The basic figure numbers of the 1500 series are as follows:

1500—Hose concealed or Weight Retriever Self-Contained Dispenser.

1501—Reel or Cable Hose Retriever Self-Contained Dispenser.

1502—Reel or Cable Hose Retriever Hi-Speed Self-Contained Dispenser.

1503—Drape Hose Type Self Contained Dispenser.

The variation covering less brand panels, less sight glass

or less sight glass and brand panel both of the computer, non-computer dispensers and remote control pedestals are identified as follows: It is on this latter group that we are applying for your formal type approval, inasmuch as your approval has already been received on the basic units—

1510 same as 1500 except less brand panel.
1510R same as 1500 except less brand panel.
1510NC same as 1500RNC except less brand panel.
1511 same as 1501 except less brand panel.
1511R same as 1501R except less brand panel.
1511NC same as 1501NC except less brand panel.
1511RNC same as 1501RNC except less brand panel.
1512 same as 1502 except less brand panel.
1512R same as 1502R except less brand panel.
1512NC same as 1502NC except less brand panel.
1512RNC same as 1502RNC except less brand panel.
1513 same as 1503 except less brand panel.
1513R same as 1503R except less brand panel.
1513NC same as 1503NC except less brand panel.
1513RNC same as 1503 RNC except less brand panel.
1520 same as 1500 except less sight glass.
1520R same as 1500R except less sight glass.
1520NC same as 1500NC except less sight glass.
1520RNC same as 1500RNC except less sight glass.
1521 same as 1501 except less sight glass.
1521R same as 1501R except less sight glass.
1521NC same as 1501NC except less sight glass.
1521RNC same as 1501RNC except less sight glass.
1522 same as 1502 except less sight glass.
1522R same as 1502R except less sight glass.
1522NC same as 1502NC except less sight glass.
1522RNC same as 1502RNC except less sight glass.
1523 same as 1503 except less sight glass.
1523R same as 1503R except less sight glass.
1523NC same as 1503NC except less sight glass.
1523RNC same as 1503RNC except less sight glass.
1530 same as 1500 except less sight glass and brand panel.
1530R same as 1500R except less sight glass and brand panel.
1530NC same as 1500NC except less sight glass and brand panel.
1530RNC same as 1500RNC except less sight glass and brand panel.
1531 same as 1501 except less brand panel and sight glass.
1531R same as 1501R except less brand panel and sight glass.
1531NC same as 1501NC except less brand panel and sight glass.
1531RNC same as 1501RNC except less brand panel and sight glass.
1532 same as 1502 except less brand panel and sight glass.
1532R same as 1502R except less brand panel and sight glass.
1532NC same as 1502NC except less brand panel and sight glass.
1532RNC same as 1502RNC except less brand panel and sight glass.
1533 same as 1503 except less brand panel and sight glass.
1533R same as 1503R except less brand panel and sight glass.
1533NC same as 1503NC except less brand panel and sight glass.
1533RNC same as 1503 RNC except less brand panel and sight glass.

Note R = Remote Pedestal

N = Non-Computer

RNC = Non-Computer Remote Pedestal

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test. The appliances have been approved by the Underwriters Laboratory under MH 1816.

Recommendation

The Committee on Test recommends that the resolution adopted June 5, 1951 and amended through July 16, 1957

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under Calendar 552-50-SA, Vol. I and II be amended so as to include the additional models of gasoline dispenser as herein described on condition that the requirements of the resolution adopted June 5, 1951 and as amended July 16, 1957 under Calendar 552-50-SA, Vol. I and II be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of June 5, 1951 through July 16, 1957 in accordance with the above report.

489-54-SA

APPLICANT—Delco Appliance Division of General Motors Corp., owner.

SUBJECT—Application reopened November 13, 1957 for amendment of resolution as to additional models of oil burners, Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc. under Petroleum, Heat & Power Co., Models D-2 and D-3—Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

APPEARANCES—

For Applicant: E. N. Pease.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 489-54-SA.

Subject: Amendment to resolution as to additional models of oil burners.

Delco Appliance Division, General Motors Corporation, requested letter dated October 17, 1957 that the resolution adopted September 25, 1956 and amended through July 16, 1957 under Calendar Number 489-54-SA be amended so as to include additional models of Delco Oil Burner and permission to market under additional trade names. The application was reopened by a vote of the Board on November 13, 1957.

Recommendation

The Committee on Test recommends that the resolution adopted September 25, 1956 and amended through July 16, 1957 under Calendar Number 489-54-SA be amended so that the model H-200 may be marketed under the Model ROH 200 and the H-300 under ROH-300 and the H-200 and H-300 may be marketed by the Petroleum Heat and Power Co. Inc., under the trade name of Petroleum Heat and Power Co., Models D-2 and D-3 Oil Burner on condition that the requirements of the resolution adopted September 25, 1956 under Calendar Number 489-54-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of September 25, 1956 through July 16, 1957 in accordance with the above report.

81-53-SM

APPLICANT—F. E. Schundler & Company Inc., owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional use of Coralux—re Coralux Floor and Ceiling Construction (gypsum plaster); previously approved.

APPEARANCES—

For Applicant: William A. Burr.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 81-53-SM.

Subject: Amendment to resolution as to additional use of Coralux.

F. E. Schundler & Co. Inc., requested by letter dated May 2, 1958 that the resolution adopted May 24, 1955 be amended, so as to permit the material Coralux to be used as an incombustible top fill as permitted under C26-630.0 Administrative Building Code.

Purpose

The material is to be used as a top filling.

Description

The material is the same as approved for a structural roof and is of the same design mix namely: sack of cement to 6 cubic feet of Coralux.

Recommendation

The Committee on Test recommends that the resolution adopted May 24, 1955, under Calendar Number 81-53-SM be reopened and amended so as to permit the use of the material known as Coralux to be used as a top filling as permitted under C26-630.0 on condition that the mix shall be one sack of cement to six cubic feet of Coralux, and further that all other requirements of the resolution adopted May 24, 1955 be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 24, 1955 in accordance with the above report.

681-53-SA

APPLICANT—Speed Queen Corporation, owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models of gas-fired clothes dryers, Models 130, 131, 132 and 133—re Speed Queens Clothes Dryer (gas-fired) Models DG11 and DG12; previously approved.

APPEARANCES—

For Applicant: F. Buelow.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

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THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

WHEREAS, the report of a Committee on Test reads:

Re: Calendar Number 681-53-SA

Subject: Amendment to resolution as to additional models of gas fired clothes dryers.

Speed Queen, A Division of McGraw-Edison Co., requested by letter dated January 21, 1958 that the resolution adopted November 15, 1955 under Calendar Number 681-53-SA be reopened and amended as to additional models of gas fired clothes dryers.

Purpose

The appliance is a gas fired clothes dryer.

Description

The requested models 130, 131, 132 and 133 are basically the same as the DG series approved by the Board, November 15, 1955 under Calendar Number 681-53-SA, the difference being in cabinet styling and location of the burner assembly. The Models 130 and 131 have the burners located in the same location as the DG series. The Models 132 and 133 have the burners located directly below the cabinet top. The new models of dryers have been approved by the American Gas Association.

Recommendation

The Committee on Test recommends that the resolution adopted November 15, 1955 under Calendar Number 681-53-SA be reopened and amended so as to include the Models 130, 131, 132, 133, and 134 and 134-F Speed Queen gas heated clothes dryers, on condition that the requirements of the resolution adopted November 15, 1955 under Calendar Number 681-53-SA be complied with.

The Committee further recommends that, as the appliance is rated less than 50,000 BTUs, that the requested models and those previously approved under Calendar Number 681-53-SA need not be connected to a flue.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of November 15, 1955 in accordance with the above report, on condition that the driers shall not be used in connection with dry cleaning.

349-55-SM

APPLICANT—Air-Maze Corp., owner.

SUBJECT—Application May 2, 1955—Air-Maze Corporation Greastop Filter (kitchen range grease filter), approval of.

APPEARANCES—

For Applicant: W. L. Gabbert.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Kleinert 3

Negative: 0

Absent: Commissioner Foley and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 349-55-SM.

Subject: Air-Maze Corporation Greastop Filter, kitchen range grease filter.

John B. Hewett Co., Inc. for Air-Maze Corporation, Cleveland, Ohio, filed May 2, 1955 an application with the Board of Standards and Appeals for approval of Air-Maze Corporation Greastop Filter (kitchen range grease filter) for use in New York City under the provisions of Sections C26-712.0e and C19-165.3 Administrative Code.

Purpose

Filters for prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The Greastop Filter is an incombustible filter designed for installation in the hoods of kitchen range exhaust systems. The filtering media is made up of evenly spaced wire mesh baffles. The fine wire mesh consists of steel wire which has been heavily plated with an alloy of nickel and zinc and then heat treated for corrosion resistance. The hardware cloth mesh is hot dipped galvanized.

The filter media is enclosed in a heavy gauge terne plate or enamel finish steel enclosing channel, welded together. Two lift handles are provided. The filters are supplied in any rectangular size up to 30 inches by 30 inches. Standard panels are 17/8 inches thick.

The filter is cleaned by soaking in a solution of hot water and suitable detergent and then flushing with water. It should be dried thoroughly before replacing.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Air-Maze Corporation Greastop Filter for use in New York City when installed in accordance with the requirements of Sections C26-712.0e and C19-165.3a.b. Administrative Code and provided that each filter shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 349-55-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

350-55-SM

APPLICANT—Continental Air Filter Co., owner.

SUBJECT—Application May 2, 1955—Continental E-Z Wash Grease Filter, Type GW, approval of.

APPEARANCES—

For Applicant: Crawford Robertson.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Kleinert 3

Negative: 0

Absent: Commissioner Foley and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 350-55-SM.

Subject: Continental E-Z Wash Grease Filter, Type GW. Continental Air Filters, Inc., Louisville, Kentucky filed May 2, 1955 an application with the Board of Standards and Appeals for approval of the Continental E-Z Wash Grease Filter, Type GW, under the provisions of Sections C26-712.0e and C19-165.3 Administrative Code.

Purpose

A filter for the prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The Type GW E-Z Wash Grease Filter is an incombust-

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ible filter designed for installation in the hoods of kitchen range exhaust systems. The filtering media is made of honey-combed aluminum forming criss-crossing air passages for turbulence. The media is enclosed in die-formed welded aluminum, 3S aluminum is used for the fabrication of the filter.

The filters are available in sizes up to 20 inches by 30 inches and are 2 inches in thickness.

The filters are to be cleaned by soaking in a solution of hot water and suitable detergent. They should be thoroughly dried before replacing.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

Handbooks give the melting point of type 3S aluminum as over 1000 degrees F.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Continental E-Z Wash Grease Filter, Type GW for use in New York City when installed in accordance with the requirements of Sections C26-712.0.e and C19-165.3.a.b Administrative Code and provided that each filter shall bear a label, permanently affixed reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 350-55-SM."

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Assistant Engineer,

GEORGE F. SKLENARIK,

Assistant Engineer,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

352-55-SM

APPLICANT—Air Devices, Inc., owner.

SUBJECT—Application May 2, 1955—Agitair Grease Filters, approval of.

APPEARANCES—

For Applicant: P. J. Daves.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Kleinert 3

Negative: 0

Absent: Commissioner Foley and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 352-55-SM.

Subject: Agitair Grease Filters.

Air Devices Inc., New York, New York filed May 2, 1955 an application with the Board of Standards and Appeals for approval of the Agitair Grease Filters under the provisions of Sections C26-712.0.e and C19-165.3 Administrative Code.

Purpose

Filters for prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The Agitair Grease Filter is an incombustible filter designed for installation in the hoods of kitchen range exhaust systems. The filtering media is a series of sheets of expanded metal having closely spaced diamond-shaped openings, the sides of which are angled so as to deflect the air in its passage through the filter. The sheets are arranged to induce air turbulence in the filter. Enclosing frames are die-formed of heavy gauge steel and are assembled with welded and reinforced corners.

For some installations filter holding frames are used to hold the grease filter panel in position. The holding frames are made of metal angles equipped with wedge locks which hold the filter panel in place against a felt gasket attached to one leg of the frame.

The Agitair Filters are made in sizes up to 20" by 25" and have a thickness of $1\frac{7}{8}$ ".

The filters are cleaned by soaking in a solution of hot water and suitable detergent and then thoroughly dried before replacement.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Agitair Grease Filters for use in New York City when installed in accordance with the requirements of Sections C26-712.0.e and C19-165.3.a.b. Administrative Code and provided that each filter shall bear a label permanently affixed reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 352-55-SM."

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

354-55-SM

APPLICANT—Dollinger Corp., owner.

SUBJECT—Application May 2, 1955—Dollinger Corp., Grease Filter, Model PVG, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Kleinert 3

Negative: 0

Absent: Commissioner Foley and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 354-55-SM.

Subject: Dollinger Corporation; Grease Filter, Model PVR.

Dollinger Corporation, Rochester, New York filed May 2, 1955 an application with the Board of Standards and Appeals for approval of the Dollinger Corporation, Grease Filter, Model PVR under the provisions of Sections C26-712.0.e. and C19-165.3 Administrative Code.

Purpose

A filter for the prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The Dollinger Corporation Grease Filter is an incombustible filter designed for installation in (the hoods of) kitchen range exhaust systems. The filtering media is made up of steel mesh, corrugated screen metal cloth and layers of copper mesh. The filtering media is enclosed in a steel channel frame. The standard size filter is 18", 12" and are 3" in thickness, other sizes of different cross-section are available.

The filter is cleaned by soaking in a solution of hot water and suitable detergent, then it should be thoroughly dried before replacement.

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Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Dollinger Corporation Grease Filter, Model PVR for use in New York City when installed in accordance with the requirements of Sections C26-712.O.e and C19-165.3.a.b. Administrative Code, and provided that each filter shall bear a label permanently affixed reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 354-55-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

154-56-SA

APPLICANT—Pennsylvania Furnace and Iron Co., owner;
Fullerton Equipment Corp., Agent.

SUBJECT—Application February 16, 1956—Pennsylvania Sheet Steel Gas-fired Furnaces, Models 55 and 10A (industrial type), approval of.

APPEARANCES—

For Applicant: L. G. LePach.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Kleinert 3

Negative: 0

Absent: Commissioner Foley and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 154-56-SA.

Subject: Pennsylvania Sheet Steel Gas-Fired Furnaces, Models 55, 10A and Industrial Type.

Pennsylvania Furnace and Iron Co., Warren, Pa., filed February 16, 1956 an application with the Board of Standards and Appeals for approval of the Pennsylvania Sheet Steel Gas-Fired Furnaces Models 55, 10A and Industrial Type for use in New York City under the provisions of Article 12 Administrative Building Code.

Purpose

Gas fired warm air furnaces for residential and commercial use.

Description

The Model 55 is a gravity type hot air furnace. It has a cylindrical combustion chamber surrounded by a drum type radiator.

Gas is supplied through an adjustable cast iron mixer and venturi tube to a spread type burner, which is fitted with a chrome steel deflecting disc top. The burner is designed so that there will be no impingement of flame on the heating unit walls. Flue gases travel upward through the radiator drum to the heating pipes. Baffles distribute the hot flue gases to the faces of the radiator. Joints are welded.

Each furnace is enclosed in a casing of sheet steel having a corrugated lining providing an insulating space. The outer surface is finished in a baked enamel.

The supply of gas to the burner is controlled by a solenoid valve operated by the room thermostat. Ignition is by constant burning pilot. A thermocouple is used for automatic gas shut off in case of flame failure.

Other controls are a level handle shut-off valve and gas pressure regulator.

A tank and float type automatic humidifier is provided.

The series 55 furnaces are made with heat inputs of 75,000, 100,000 and 125,000 Btu. per hour.

The series 10A furnace is a forced air furnace with filters and blower fan built into the unit.

The heater assembly consists of a steel combustion chamber and a corrugated radiator. The burners are of cast iron and have raised drilled ports and the mixers are adjustable. The controls used include lever handle shut off valve, gas pressure regulator, diaphragm cut off valve and safety pilot or a solenoid valve may be installed in place of the diaphragm cut off valve. A thermostat is used for automatic operation.

The 10A series are provided with automatic humidifiers.

These furnaces are made in sizes ranging from 75,000 to 225,000 Btu. per hour input.

The Pennsylvania Industrial Furnace is a forced air furnace. The heater is a combination of single unit exchangers made of sheet steel. Each unit has seven vertical radiating tubes extending to the top of the heater.

Each heat exchanger is equipped with a set of four burners arranged tandem in pairs. The burners are of cast iron with raised ports. The mixers are adjustable.

Each pair of burners is controlled by a hand operated gas cock at the front connected to the manifold. A separate door is furnished for inspection of each set of burners.

The controls for single units include gas pressure regulator, solenoid control valve and thermocouple type safety pilots. On two or more sections the controls include gas pressure regulator, diaphragm control valve, diaphragm controller and thermocouple type safety pilots.

The furnaces are provided with automatic humidifiers.

The entire assembly is housed in a sheet metal casing finished in enamel.

The Industrial Furnace is available in sizes ranging from 300,000 Btu. per hour input for the single unit to 3,000,000 Btu per hour input for the ten unit furnace.

All three types of furnaces are to be connected to flues through diverters.

Inspection and Test

All details of construction were examined by Ass't Engr. G. F. Sklenarik, Committee on Test.

The model 55 and 10A furnaces are tested and approved by the American Gas Association.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Pennsylvania Sheet Steel Gas-Fired Furnaces, Models 55, 10A and Industrial Type for use in New York City under the provisions of Article 12 Administrative Building Code provided that each furnace shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals, for use in New York City under Calendar Number 154-56-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

646-56-SA

APPLICANT—Weil-McLain Co., owner.

SUBJECT—Application September 10, 1956—Weil-McLain Gas-Boilers, Type J—J-6 thru J-41, 36 sizes, approval of.

APPEARANCES—

For Applicant: Lloyd H. Loos.

MINUTES

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Kleinert 3
Negative: 0
Absent: Commissioner Foley and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 646-56-SA.

Subject: Weil-McLain Gas Boiler Type J Sizes J-6 through J-41.

Weil-McLain Co., Michigan City, Indiana, filed September 10, 1956 an application with the Board of Standards and Appeals for approval of the appliance known as the Weil-McLain Gas-Boilers Type J, Sizes J-6 through J-41 under Article 12 Chapter 26 Administrative Building Code.

Purpose

The appliance is a gas-fired boiler for steam or hot water systems.

Description

The boiler is a gas-fired, low pressure heating boiler for steam or hot water system. The sizes refer to B.T.U. input.

The burners are of the ribbon type, crimped stainless steel and the venturi tube and the base are of cast iron. The burner assembly is supported within a heavy steel base frame. The cast iron heating sections have fins, cast in a staggered pattern, to give a more effective heating surface.

The standard equipment of the boiler consists of the following: Insulated jacket, draft divertor, automatic diaphragm gas valve, main shut off gas valve, pressure regulator, pilot shut off valve, automatic safety pilot, transformer and drain cock. In the event the installation is a water boiler, the additional controls consists of high limit control and combination pressure-temperature altitude gauge. In the event the installation is a steam boiler, the extra controls consists of pressure limit control, steam gauge, water gauge, try cocks, safety valve and low water cut-off.

Inspection and Test

Details of construction were examined by Asst. Engr. J. A. Darts Committee on Test. The appliance has been approved by the American Gas Association under 4-1350-2.001-AX, 4-(1350-1.0 & 1.1).001-AX & 4-(1350.0 & .1).001-AX.

Recommendation

On the basis of inspection and the data filed by the applicant, the Committee on Test recommends the approval of the Weil-McLain Gas Boiler Type J Sizes J-6 through J-41 for use in New York City, for domestic, commercial and industrial installation on condition that the installation comply with the requirements of Article 12 Chapter 26 Administrative Building Code and further that the appliance bear a label, permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City Cal. No. 646-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

699-56-SA

APPLICANT—Deerfield Machine Works, owner.

SUBJECT—Application September 25, 1956—Deerfield Horizontal Rotary Oil Burner, Models DD, sizes F, G, H, and

Models BD sizes D, E, F, G, H, J and K, approval of.

APPEARANCES—

For Applicant: Edward Angeli.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 699-56-SA.

Subject: Deerfield Horizontal Rotary Oil Burner, Models DD, Sizes F, G, and H and Model BD sizes D, E, F, G, H, J and K.

Deerfield Machine Works, Brooklyn, New York, filed September 25, 1956 an application with the Board of Standards and Appeals for approval of the Deerfield Horizontal Rotary Oil Burner Model DD Sizes F, G, and H and Model BD Sizes D, E, F, G, H, J and K under the provisions of Article 12 Chapter 26, Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

The appliance is an oil burner for commercial and/or industrial installation.

Description

The oil burner is designed to burn either No. 4, 5 or 6 fuel oil and range in size from 15 to 120 gallons per hour. The burner consists of the following:

1. Atomizing Cup.
2. Flame shaper nozzle.
This simple yet effective flame shaper with adjustable air vanes permits any shape flame from a short bushy fire to a long narrow fire as the burner is firing.
3. Flame shaper level.
4. Adjustable pilot air shutter for "SUR-LITE-OFF" ignition assembly. By moving this air shutter, a soft orange to a hard blue pilot flame may be obtained.
5. Flame rod. (Pilot supervision)

The automatic oil valve cannot open until the pilot has been proven.

6. "SUR-LITE-OFF" ignition assembly.

Positive ignition on all types of gases, bottled, natural, manufactured or blended. Pressure not to exceed 8 oz. Metered air from Flame Shaper Nozzle is introduced into the recessed gas chamber to produce a ring pilot around the atomizing cup directly in the oil stream, thus insuring instant light off even with cold oil. Positive ignition is assured by the introduction of forced air on the ignition electrode causing a pin wheel sparking of electrode.

7. Honeywell Electric Photocell (Main flame supervision) Shuts off fuel supply in case of main flame failure.

8. Webster Transformer.
9. Pressure regulating valve.
10. "Swing Out".

Fully adjustable, designed for safety. The unit is immobilized should the burner be swung open 1/2 from stop pin.

11. Gas Supply line.
12. Junction box.

All burner controls are factory wired to this junction box.

13. Honeywell Automatic gas valve.
14. Gas Cock.
15. Honeywell Modulating Motor.
16. Simplified Modulating Linkage.

For speedy primary air, secondary air and oil settings. Linkage is not disconnected to open burner.

17. Modulating Oil Valve.

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18. Automatic Oil Valve.
19. Manual Oil Valve.
20. Low Watt Density heater with auxiliary head for relay control. (Hold out switch)
- The Low Watt Density heater eliminates the possibility of gassing and fire sputter.
21. Oil Pressure Gauge.
22. Oil Pump, designed to handle heaviest grades of oil, slow speed rotary gear type.
- Fan, 1 piece cast aluminum.
- Large Diameter Oil Feed Tube.

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts Committee on Test. Both Models DD & BD have been approved by the Underwriters Laboratory Under MP 2486.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Deerfield Horizontal Rotary Oil Burner Models DD; Sizes F, G, and H and Models B D Sizes D, E, F, G, H, J and K for use in New York City in commercial and industrial installations when constructed as herein described and installed in accordance with the requirements of Article 12 Chapter 26 Administrative Building Code and further that each appliance bear a label, permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. 699-56SA."

(Sgd.) SAMUEL L. BECKER,
Director
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

245-57-SA

APPLICANT—General Electric Co., Air Conditioning Division, owner.

SUBJECT—Application March 12, 1957—General Electric Gas-fired Warm Air Furnace for Home Heating. Models 21LG10K, 21LG15K, 21LG20K, 21LG25K, 21LG30K, 21LG40K, 21LG10KS, 21LG15KS and 21LG20KS, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 245-57-SA.

Subject: General Electric Gas Fired Warm Air Furnace, Models 21LG10K, 21LG15K, 21LG20K, 21LG25K, 21LG30K, 21LG40K, 21LG10KS, 21LG15KS, and 21LG20KS.

Air Conditioning Division of the General Electric Company, New York, filed March 12, 1957 an application with the Board of Standards and Appeals for approval of the General Electric Gas Fired Warm Air Furnace, Models 21LG10K, 21LG15K, 21LG20K, 21LG25K, 21LG30K, 21LG40K, 21LG10KS, 21LG15KS, and 21LG20KS for use in New York City under the provisions of Article 12, Administrative Building Code.

Purpose

Gas fired warm air furnaces for domestic and commercial use.

Description

The General Electric Gas Fired Warm Air Furnaces are floor type furnaces designed for forced air circulation.

The furnaces consist of atmospheric type slotted port cast iron burners firing upward into cast iron heat transfer sections. A flue connection and built-in draft diverter are provided for removal of combustion gases.

Air to be heated is taken into the unit through a filter located in the bottom section or attached to it by means of an external frame. This section also houses a multi vane centrifugal fan. The fan then forces the air upward through the heat transfer sections to the duct outlet, connection.

The major component parts are supported on a steel frame work and are enclosed with sheet steel panels finished in a two tone gray enamel. This panel casing is insulated with foil faced glass wool.

The controls used consist of a 100 percent safety pilot for automatic shut down in case of flame failure, combination fan and temperature limit control, gas pressure regulator with valve and thermostat.

The various models have the following input ratings:

Model Number	Input Rating Btu per Hour
21LG10K, 21LG10KS	60,000
21LG15K, 21LG15KS	75,000
21LG20K, 21LG20KS	90,000
21LG25K	120,000
21LG30K	150,000
21LG40K	210,000

The letter "K" indicates a belt drive for the blower fan.

The letters "KS" indicates a direct drive blower fan.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

These General Electric warm air furnaces were tested and approved by the American Gas Association Laboratories for all fuel gases.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the General Electric Gas-Fired Warm Air Furnace, Models 21LG10K, 21LG15K, 21LG20K, 21LG25K, 21LG30K, 21LG40K, 21LG10KS, 21LG15KS and 21LG20KS for use in New York City when installed in accordance with this report and the provisions of Article 12 Administrative Building Code including the clearance requirements therein provided that each furnace shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 245-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

660-57-SA

APPLICANT—John Wood Co., owner.

SUBJECT—Application August 15, 1957—John Wood Fluid Heat Gas-fired Gravity Warm Air Furnace, Models GG-65, GG-87, GE-90, GE-115, GE-140, GH-70, GH-90, GC-70 and GC-90, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 660-57-SA.

Subject: John Wood Fluid Heat Gas Fired Furnaces.

R. E. McIntyre for John Wood Company, Conshohocken, Pa., filed August 15, 1957, an application with the Board of Standards and Appeals for approval of the appliance known as John Wood Fluid Heat Gas Fuel Furnaces. Models: GG-65, GG-87, GE-90, GE-140, GH-70, GH-90, GC-70 and GC-90.

Purpose

The appliance, a gas fuel warm air furnace, is to be used for domestic and for commercial heating.

Description

The furnace consists of the following component parts; heat exchanger constructed of 14 gauge steel and so constructed as to provide a means of transferring the heated air to the ventilating system; the jacket, which encases the heat exchanger; blower and blower motor, the blower is of the conventional centrifugal or squirrel-cage type, the motor is of the split phase type; the burners are of the single-port up-shot type; Controls: Main Control Valve, self energizing type, that is, no outside source of power is generated by the pilot flame through a series of thermocouples or a 24-volt solenoid or diaphragm-type valve may also be used; an automatic safety pilot, if the pilot should be extinguished, power will not be supplied to energize the main valve and it will close and fail to open until the pilot flame has been restored. On the 24 volt type valve, a thermocouple is placed adjacent to the pilot, when the pilot is lit, a carry over flame is directed at the thermocouple generating a small voltage capable of holding a solenoid switch in the closed position, this switch is in series with the main control valve. In the event of pilot failure, the solenoid is released thereby shutting off main gas supply. Fan and limit control, provides means for shutting off fan when temperature drops and turns fan on when temperature rises. The limit side of control provides shut-down of the gas burner, if the temperature in the supply duct or plenum becomes excessive.

Inspection and Test

Details of construction were examined by Ass't. Engr. J. A. Darts, Committee on Test. The appliances have been approved by the American Gas Association Under:

4-1319-2.301, 4-(1471-2.0 &-3.0) .001, 4-(1471.0 &-1.0) .001, 4-1442-5.001, 4-1319-2.001, 4-(1319.0 &-1.0) .001, 4-1319-2.101, 4-(1319.1 & 1.1) .001, 4-1319.301, 4-1319-3.3 &-4.3) .001, 4-(1319.6 &-1.6) .001, 4-(1319-3.3,-4.3, 4-&-2.4) .001, 4-1319-2.401, 4-(1319.4 &-1.4) .001, 4-(1319.5 &-1.5) .001, 4-1319-2.501, 4-845-2.901, & 4-(845.9 &-1.9) .001.

Recommendation

On the basis of the examination and the date filed by the applicant, the Committee on Test recommends the approval of the appliance known as John Wood Fluid Heat Fired Furnaces, Models: GG-65, GG-87, GE-90, GE-115, GE-140, GH-70, GH-90, GC-70 and GC-90 for use in domestic and commercial occupancies but not to be installed in garages or places of explosive atmospheres, on condition that all installations comply with the requirements of Article 12 Chapter 26, Administrative Building Code and that the appliance bear a label permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 660-57-SA."

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

855-57-SM

APPLICANT—Kuhns Brothers Co., owner.

SUBJECT—Application November 12, 1957—"K" Pipe Lock Coupling, Model 400-D, approval of.

APPEARANCES—

For Applicant: George Walters.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 855-57 SM.

Subject: "K" Pipe Lock Coupling, Model 400 D.

Kuhns Brothers Company, Dayton, Ohio, filed November 12, 1957 an application with the Board of Standards and Appeals, for approval of their pipe coupling known as "K" Pipe Lock Coupling, Model 400 D, for use with standard steel or wrought iron pipe, under the provisions of C26-1360 and C26-1383 Administrative Building Code.

Purpose

Pipe couplings to be used in above ground or underground fire service systems—automatic sprinkler, and standpipe systems.

Description

These couplings are constructed of two housings or halves, which are bolted together over a rubber gasket to assemble grooved steel pipe. The housings are formed with a circumferential key on both sides which fits into the grooves machined on the outer surface of the pipe ends.

The housings are made of ductile iron and are designed for pipe sizes of 2 to 8 inches.

The specifications of the ductile iron are:

Physical Properties

Tensile strength 60,000 psi.

Yield strength 45,000 psi.

Elongation 15% min.

Brinnell 190 max.

Hardness

Chemical Composition

Carbon 3.0% min.

Phosphorous 0.08% max.

Silicon 2.50% max.

Magnesium 0.06% max.

The specifications for the rubber gasket:

Tensile Strength 2130 psi

Elongation 456 per cent

Durometer hardness 72 av.

Inspection and Test

The couplings were tested at the Underwriters' Laboratories, and the following results were noted:

Physical tests of the ductile iron gave yield points in excess of 48,000 psi with an average elongation of 23.5 per cent in 2 inches.

A sample rubber gasket was placed in an oxygen bomb for 96 hours at 70 degrees C and 300 psi. After exposure, tests showed that the gasket retained 87 per cent of original tensile strength, 86 per cent of the original elongation and the durometer hardness number averaged 78—See Calendar Number 856-57 SM.

MINUTES

Sample couplings of 2 to 8 inches in size were assembled on two short lengths of steel pipe and subjected to hydrostatic pressure. Failure occurred in the 8 inch size at 2000 psi, the smaller sizes withstood higher pressures up to 3700 psi for the 2 inch size.

Deflection tests were performed by assembling the couplings on short lengths of steel pipe. In each test the assembly was subjected to an internal pressure of 175 psi. and installed in a tension and compression testing machine on V-block supports. A load was then applied on the coupling so as to deflect the joint. The 2 inch coupling failed at 11,500 psi produced by the load, this value increased with the size of the coupling and the 8 inch coupling failed at 89000 psi.

The couplings were deemed satisfactory for maximum working pressures of 400 psi.

The complete report of the Underwriters' Laboratories, Application 57 K 1247 is on file with and is part of the record.

Recommendation

On the basis of the test, the Committee on Test recommends the approval of the coupling known as the "K" Pipe Lock Coupling Model 400 D in sizes ranging from 2 inches to 8 inches when constructed as described herein, for use on standard or extra strong new pipe in sprinkler and standpipe systems, under the provisions of C26-13400, and C26-1383.0 Administrative Building Code for pressures not in excess of 400 psi and provided that each coupling shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals, for use in New York City under Calendar Number 855-57 SM", and further that; 1. No joint in a horizontal run shall be placed more than 2 feet from a hanger. 2. Vertical risers shall be supported every 24 feet in height. 3. Long runs of pipes shall include expansion joints where required by the Superintendent and further, that the use of these couplings underground shall be permitted inside building walls only, not to be installed in soils corrosive to steel or rubber.

(Sgd.) SAMUEL L. BECKER,
Director
JOHN A. DARTS,
Assistant Engineer
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

856-57-SM

APPLICANT—Kuhns Brothers Company, owner.
SUBJECT—Application November 12, 1957—"K" Pipe Lock Coupling, Model 800-D, approval of.

APPEARANCES—

For Applicant: George Walters.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 856-57-SM.

Subject: "K" Pipe Lock Coupling, Model 800-D.

Kuhns Brothers Company, Dayton, Ohio filed November 12, 1957 an application with the Board of Standards and Appeals for approval of their pipe coupling known as "K" Pipe Lock Coupling, Model 800-D for use with standard pipe under the provisions of C26-1360 and C26-1383 Administrative Building Code.

Purpose

Pipe couplings to be used in above ground or underground

fire service systems—automatic sprinkler and standpipe systems.

Description

These couplings are constructed of two housings or halves which are bolted together over a rubber gasket to assemble grooved steel pipe. The housings are formed with a circumferential key on both sides which fits into the grooves machined on the outer surface of the pipe ends.

The housings are made of ductile iron and are designed for pipe sizes of 2 to 8 inches.

The specifications of the ductile iron are:

Chemical Composition

Carbon	3.0 % Min.
Phosphorous	0.08% Max.
Silicon	2.5 % Max.

Physical Properties

Tensile Strength	60,000 psi
Yield Strength	45,000 psi
Elongation in 2 inches	15% Min.
Brinnell Hardness	190 Max.

The Specifications for the Rubber Gasket

Tensile Strength	2,130 psi
Elongation	456%
Durometer Hardness	72 av

Inspection and Test

The couplings were tested at the Underwriters Laboratories and the following results were noted.

Physical Tests of the ductile iron gave yield points in excess of 51,000 psi with an average elongation of 23% in 2 inches.

A sample rubber gasket was placed in an oxygen bomb for 96 hours at 70° C and 300 psi. After exposure, tests showed that the gasket retained 87% of the original tensile strength, 86% of the original elongation and the durometer hardness number averaged 78.

Sample couplings of 2½ to 8 inches in size were assembled on two short lengths of steel pipe and subjected to hydrostatic pressure. Failure occurred in the 8 inch size at 3,200 psi. Failure in the smaller size occurred at higher pressures, up to 5,000 psi for the 2½ inch coupling.

Deflection tests were performed by assembling the couplings on short lengths of steel pipe. In each test the assembly was subjected to an internal pressure of 175 psi and installed in a tension and compression testing machine on V-block supports. A load was then applied on the coupling so as to deflect the joint. The 2½ inch coupling failed at 30,000 psi, produced by the load, this value increased with the size of the coupling and the maximum value of 111,000 psi was successfully attained with the 8 inch coupling. This was the limit of the testing machine.

The couplings were deemed satisfactory for maximum working pressures of 800 psi.

The complete report of the Underwriters Laboratories, Application 57K219 is on file with and is part of the record.

Recommendation

On the basis of the test, the Committee on Test recommends the approval of the coupling known as the "K" Pipe Lock Coupling Model 800D in sizes ranging from 2 inches to 8 inches when constructed as described herein for use on Standard or extra strong new steel or wrought iron pipe in sprinkler and standpipe systems under the provisions of C26-1340.0 and C26-1383.0 Administration Building Code for pressures not in excess of 800 psi and provided that each coupling shall bear a label, permanently affixed, reading "Approved by the Board of Standards for use in New York City under Cal. No. 856-57SM" and further that,

1. No joint in a horizontal run shall be placed more than 2 feet from a hanger.

2. Vertical risers shall be supported every 24 feet in height.

MINUTES

3. Long runs of pipes shall include expansion joints where required by the Superintendent, and further that the use of these couplings underground shall be permitted inside building walls only, not to be installed in soils corrosive to steel or rubber.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

21-58-SA

APPLICANT—Samuel Carr, for Mercury Molding Machinery Inc., owner.

SUBJECT—Application January 6, 1958—Mercury Roto-Molder, Models SD2, SD3 and SD4, approval of.

APPEARANCES—

For Applicant: Samuel Carr and C. Szentkuti.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 21-58-SA.

Subject: Mercury Roto-Molder Models SD2, SD3 and SD4.

S. Carr for Mercury Molding Machinery Inc., Yonkers, New York, filed January 6, 1958 an application with the Board of Standards and Appeals for approval of the appliance known as Mercury Roto-Molder Models SD-2, SD-3 and SD-4 under the provisions of C26-191.0 Administrative Building Code.

Purpose

The appliance is used for molding and drying of vinyl plastics.

Description

The molder is a batch type non-volatile oven in which is built a movement consisting of two mold holders mounted on a planetary drive. This drive is mounted on a shaft extending through the oven and connected by a positive chain drive to a variable speed control and an electric brake motor. The operation of the planetary drive is controlled by an electro-mechanical selector device, and is further controlled during the operational time cycle by an infinitely adjustable electric timing device.

The oven is constructed of steel angles, fiberglas wool insulation 16 gauge steel panels; except on the SD4 which has 12 gauge steel panels on the exterior, a draft exhaust diverter and damper. The oven is also equipped with two safety door latches for servicing the unit. The oven is also equipped with a heavy duty recirculating blower which circulates the air throughout the oven.

The burners are of the ribbon type and the BTU input for the SD2 is 300,000 BTU and for the SD3 and 4 the input is 450,000 BTU. The burner type for the SD2 is of the atmospheric and for the SD3 and 4 is of the Premix type.

A Partlow Temperature control operates the burners between a range of 100°F to 1000°F.

The controls are as follows:

1. **PLANETARY DRIVE CIRCUIT**: Controlled by electro-mechanical selector device and the electrical timer. Operated from the main control board through the two selector switches which are placed on the main control board under the main drive pilot light. The

electro-mechanical selector device situated in the rear of the oven consists of the selector plate on which two Cutler-Hammer double pole double throw limit switches and the large selector gear are mounted. The gear is driven through the small selector gear mounted on the main shaft. These two switches with the combination of the electric timing device control the planetary drive in order to stop the loading plate in the oven in the horizontal position . . . when the time cycle is over. Consequently, the adjustment of the loading plates, if they are out of the horizontal position, is done through changing the relative position of the Cutler-Hammer limit switches to the large selector gear . . . (done through tilting limit switches).

2. **GAS BURNER CIRCUIT**: The electric control system for the gas heated unit employs a safety control called Wheelco Flame-otrol and the air flow switch (LO-VAC). The Flame-otrol includes the Wheelco Flame-otrol unit, main gas burner solenoid valve and pilot gas burner solenoid valve. These valves are actuated through the Flame-otrol unit and shut off the burners immediately upon interruption of gas or electric service. The LO-VAC is hooked up in series with the Flame-otrol unit and closes the circuit only when air flow is on, or in other words, the blower is in operation.

3. **TEMPERATURE CONTROL CIRCUIT**: The temperature control maintains on and off operation of the main gas burner, to maintain the required temperature setting. It consists of the Partlow temperature control and a gas solenoid valve.

4. **WORKING DOOR CIRCUIT**: Serves to automatically open and close the working door when fusing cycle starts or ends, and also for manual operation of the door at any time through the selector switch situated on the main control board. It consists of a four way solenoid valve, air cylinder and an auxiliary switch mounted on the drive motor magnetic starter.

In operation, a liquid vinyl plastic is poured into the molds, the molds are then placed on the mold holders and the oven is put in operation. Prior to the firing the oven is purged. During the heating process, the molds are rotated, throwing the plastic against the inside face of the mold and the heat forms the plastic into the shape required. The plastic is of the non-volatile type.

Inspection and Test

The appliance was inspected by Asst. Engr. J. A. Darts, Committee on test, at 972 Nepperhan Avenue, Yonkers, New York, and the appliance operated as designed and the controls operated as required.

Recommendation

The Committee on Test recommends the approval of the appliance known as Mercury Roto-Molder Models SD-2, SD-3, SD-4 for use in New York City for the rotational molding and drying of vinyl plastisols on condition that the plastic shall be of the non-volatile type and that all installations shall comply with the requirements of Article 12 Chapter 26 Administrative Building Code and further that the appliance bear a label permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 21-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report, *on condition* that the plastics do not throw inflammable vapor.

MINUTES

967-47-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened January 7, 1958 as to amendment of resolution as to glue—Douglas Fir Plyscord (Plywood sheathing); previously approved.

APPEARANCES—

For Applicant: James A. Fitzpatrick and

ACTION OF BOARD—Laid over to July 15, 1958, at 2 P.M. for revision of report.

694-56-SA

APPLICANT—Charles M. Shapiro, for Manhattan Blower Corp., owner.

SUBJECT—Application September 19, 1956—Manhattan Gas-fired Industrial Paint Drying Oven, approval of.

APPEARANCES—

For Applicant: Elliot Jerome Shapiro.

ACTION OF BOARD—Laid over to July 15, 1958, at 2 P.M. for full approval of the Board.

80-38-A

APPLICANT—Lemmo Realty, for Harry A. Wagner, part-owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired May 3, 1958—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—147-08 46th Avenue and 46-05 Parsons Boulevard, southeast corner, Block 5452, Lot 3, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Ernest A. Lemmo.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 3, 1938, on certain conditions; and

WHEREAS, the term of variance was extended on October 28, 1952; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 3, 1938, as thereafter *amended* by resolutions adopted through October 28, 1952, only so far as it has reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"granted for a term of ten years from the date of this *amended* resolution . . .; that in all other respects the requirements of the resolution as adopted on May 3, 1938, shall be complied with; and that a new certificate of occupancy shall be obtained." (B.N. 1087/52)

630-56-GR

SUBJECT—Reopening for amendment of General Resolution, relative to maintaining an elevator in readiness and a competent operator on premises to assist the Fire Department in gaining access during hours when building is normally closed (nights, Saturdays, Sundays and Holidays). This applies to buildings over 150 feet in height with sprinkler systems having connection to Fire Headquarters through a central station; Sec. C19-164.0 and C26-1433.0 Administrative Code; General resolution previously adopted.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this General Resolution was adopted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the resolution was amended on May 21, 1957; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of September 25, 1956 and May 21, 1957 by adding thereto:

"that each building subject to the provision of this General Resolution shall be inspected by the agency at least twice each week and records kept of such inspections; and that at such inspections the elevator doors, keys and other equipment pertaining to the operation of the service shall be examined to maintain safe conditions."

77-50-A

APPLICANT—Samuel Rosenblum, for 237 West 37th Street Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—237-239 West 37th Street, north side, 325 feet east of 8th Avenue, Block 787, Lot 23, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 15, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 15, 1957, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"granted for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

312-50-A

APPLICANT—Samuel Rosenblum, for Westmore Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—222-224 West 37th Street, south side, 275 feet west of 7th Avenue, Block 786, Lot 62, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution *amended* by the Board this day under Cal. No. 630-56-GR."

539-50-A

APPLICANT—Samuel Rosenblum, for Mola Realities, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—261-267 West 35th Street, north side, 94 feet east of 8th Avenue, Block 785, Lot 7, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution *amended* by the Board this day under Cal. No. 630-56-GR."

707-50-A

APPLICANT—Samuel Rosenblum, for Kentward Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—241-245 West 36th Street, north side, 323 feet east of 8th Avenue, Block 786, Lot 20, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION:

WHEREAS, this application was granted by the Board on December 18, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1956, only so far as it has reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution *amended* by the Board this day under Cal. No. 630-56-GR."

200-51-A

APPLICANT—Samuel Rosenblum, for Crompton Holding Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—131-137 West 35th Street, north side, 207 feet 1 inch west of Broadway, Block 811, Lot 16, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 15, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 15, 1957, only so far as it has reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution *amended* by the Board this day under Cal. No. 630-56-GR."

900-51-A

APPLICANT—Samuel Rosenblum, for K.R.K. Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—237-245 West 35th Street, north side, 357 feet 10¼ inches west of 7th Avenue, Block 785, Lot 18, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

901-51-A

APPLICANT—Samuel Rosenblum, for Kaufman 8th Avenue Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—304-306 West 36th Street and 519 8th Avenue, southwest corner, Block 759, Lot 45, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

902-51-A

APPLICANT—Samuel Rosenblum, for Kaufman 36th Street Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—135-139 West 36th Street, north side, 159 feet 3¾ inches west of Broadway, Block 812, Lot 19, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

903-51-A

APPLICANT—Samuel Rosenblum, for 150 West 28th Street Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from a decision of the Fire Commissioner re elevator in readiness previously granted on condition.

PREMISES AFFECTED—150-154 West 28th Street, south side, 125 feet 5 inches east of 7th Avenue, Block 803, Lot 67, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

904-51-A

APPLICANT—Samuel Rosenblum, for Kaufman-Wales Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution as to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—242-252 West 36th Street, south side, 438 feet 4 inches west of 7th Avenue, Block 785, Lot 67, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with;

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and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

905-51-A

APPLICANT—Samuel Rosenblum, for Charles Kaye Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution as to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—12-14 West 27th Street, south side, 60 feet 6¼ inches west of Broadway, Block 828, Lot 56, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative—Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

906-51-A

APPLICANT—Samuel Rosenblum, for Kaufman 35th Street Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—147-151 West 35th Street, north side, 208 feet 4 inches east of 7th Avenue, Block 811, Lot 10, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

907-51-A

APPLICANT—Samuel Rosenblum, for S.I.K. Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—462-468 7th Avenue and 209-211 West 35th Street, northwest corner, Block 785, Lot 37, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

908-51-A

APPLICANT—Samuel Rosenblum, for Francis Kay Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—224-228 West 35th Street, south side, 225 feet west on 7th Avenue, Block 784, Lot 60, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board his day under Cal. No. 630-56-GR."

909-51-A

APPLICANT—Samuel Rosenblum, for Furcraft Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening for

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amendment of resolution to extend the term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted.

PREMISES AFFECTED—242-246 West 30th Street, south side, 200 feet east of 8th Avenue, Block 779, Lot 66, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"granted for a term of five years from the date of this amended resolution, on condition . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

910-51-A

APPLICANT—Samuel Rosenblum, for 224 West 30th Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—224-232 West 30th Street, south side, 306 feet 8 inches west on 7th Avenue, Block 779, Lot 57, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Robert Kopple.

ACTION OF BOARD—Appeal reopened and term of variance.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"granted for a term of five years from the date of this amended resolution, on condition . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

911-51-A

APPLICANT—Samuel Rosenblum, for Charles Kaye Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—105-117 Madison Avenue, south-

east corner of East 30th Street, Block 859, Lot 64, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"granted for a term of five years from the date of this amended resolution, on condition . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

912-51-A

APPLICANT—Samuel Rosenblum, for Palace Realty Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—231-239 West 29th Street, north side, 353 feet 6 inches west of 7th Avenue, Block 779, Lot 17, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"granted for a term of five years from the date of this amended resolution, on condition . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

913-51-A

APPLICANT—Samuel Rosenblum, for David Kay Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—212-216 West 35th Street, south side, 93 feet 9 inches west of 7th Avenue, Block 784, Lots 51 and 53, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley..... 1

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THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

914-51-A

APPLICANT—Samuel Rosenblum, for 48 Vesey Street Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—262-268 West 38th Street, south side, 135 feet 4 inches east of 8th Avenue, Block 787, Lots 76 to 79, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1956, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

844-56-A

APPLICANT—Samuel Rosenblum, for Edmore Holding, Inc, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness previously granted on condition.

PREMISES AFFECTED—249 West 29th Street, north side, 175 feet east of 8th Avenue, Block 779, Lot 10, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-

ing, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 5, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 5, 1957, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR."

845-56-A

APPLICANT—Samuel Rosenblum, for Arelby Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from an decision of the Fire Commissioner—re elevator in readiness previously granted on condition.

PREMISES AFFECTED—306 West 38th Street, south side, 125 feet west of 8th Avenue, Block 761, Lot 41, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-

ing, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 5, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 5, 1957, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"*granted* for a a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution, amended by the Board this day under Cal. No. 630-56-GR."

846-56-A

APPLICANT—Samuel Rosenblum, for 256 West 35th Street Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness previously granted on condition.

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PREMISES AFFECTED—254 West 35th Street, south side, 150 feet east of 8th Avenue, Block 784, Lot 71, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 5, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 5, 1957, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

“*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR.”

849-56-A

APPLICANT—Samuel Rosenblum, for Glenhill Associates, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from a decision of the Fire Commissioner—re elevator in readiness previously granted on condition.

PREMISES AFFECTED—307-317 West 38th Street, north side, 100 feet west of 8th Avenue, Block 762, Lot 25, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 5, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 5, 1957, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

“*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR.”

873-54-A

APPLICANT—Samuel Rosenblum, for 1015 Washington Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for extension of term of variance—re Appeal from an order of the Fire Commissioner—re elevator in readiness; previously granted on condition.

PREMISES AFFECTED—516-522 West 34th Street, south side, 205 feet west of 10th Avenue and 513 West 33rd Street, Block 705, Lot 46, Borough of Manhattan.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 15, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 15, 1957, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

“*granted* for a term of five years from the date of this amended resolution, *on condition* . . . that in all other respects the resolution above cited shall be complied with; and that the service shall be maintained in accordance with the requirements of the resolution amended by the Board this day under Cal. No. 630-56-GR.”

495-57-A

APPLICANT—V. Della Penna for Alvin Brand, owner.

SUBJECT—Application July 1, 1957—Appeal from a decision of the Borough Superintendent, re extension of outer wall, etc.

PREMISES AFFECTED—388 East 156th Street, south side, 50 feet west of Melrose Avenue, Block 2402, Lot 20, Borough of The Bronx.

APPEARANCES—

For Applicant: V. Della Penna.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated May 8, 1958 on amendment to Alt. Applic. 1224/56 reads:

“1. The proposed side extension of the existing frame bldg. in frame construction, is contrary to Sect. C-26-250d(3) Bldg. Code.”

and

WHEREAS, the applicant states that the existing building was 2 stories in height, 20 feet 6 inches front by 74 feet in depth at 1st floor, 20 feet 6 inches front by 24 feet in depth at 2nd floor, class 4 construction, erected 1891, located on a lot 25 feet front by 100 feet in depth, in a retail use, B area, class 1½ height district, occupied as a 1-family dwelling on 1st floor, and a 1-family dwelling on the 2nd floor, and proposed to be used and occupied as follows: Cellar—boiler room; 1st floor—dwelling, 1 family; 2nd floor—dwelling, 1 family; that the building is now 2 stories, 24 feet in

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height, 20 feet 6 inches front by 74 feet in depth, class 4 construction, provided with one interior 2 feet 6 inch wide wood stairs, enclosed in partitions of studs, wood lath and plaster, equipped with wood doors, which are not self-closing; that stairhall leads to street and is provided with a ladder and scuttle to roof; and

WHEREAS, Violation Number C-1340-56 issued July 11, 1956 for enlarging kitchen by extending outer wall to form direct connection with outer wall of premises of 386 East 156th Street, without approval or permit from the Department of Buildings; and

WHEREAS, the applicant states that the extension is only 1 story in height; that no additional rooms were created; that the owner occupies the 1st floor and built the extension for his convenience and not for additional revenue; that the extension was built by the owner without approval from the Department of Buildings; that the owner did not know at the time that he needed approval from the Department; and

WHEREAS, the applicant stated to the Building Department that in the amendment to Alt. Applic. 1224/56, that it was proposed to brick fill the wall adjacent to the westerly building and line same on the exterior with $\frac{3}{8}$ inch brick asbestos boards; and

WHEREAS, the premises was inspected by a committee of the Board, which recommended the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, dated May 8, 1958, acting on Alt. Applic. 1224/56, Objection No. 1 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the one-story extension as proposed and indicated on plans filed with this application, marked "Received May 12, 1958", 8 sheets, *on condition* that the extension shall be used only as an extension of the kitchen for the single family occupying the first floor and for no other use; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

496-57-A

APPLICANT—Harry Hurwit, for Joseph and Fannie Goldman, owners.

SUBJECT—Appeal filed June 20, 1957 from a decision of the Borough Superintendent relating to egress.

PREMISES AFFECTED—156 West 29th Street, south side, 149 feet 6 inches east of 7th Avenue, Block 804, Lot 69, Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated June 21, 1957 on amendment to B. N. Applic. 3705/56 reads:

"Rear fire escape landing on a non-fireproof roof and then in a rear yard is contrary to Section 273 of the Labor Law."

and

WHEREAS, the applicant states that the building is 3 stories, 35 feet in height, 25 feet front by 98 feet 9 inches in depth at street floor, 25 feet front by 88 feet 9 inches in depth at typical floor, of class 3 construction, erected

1885, located in a manufacturing use B area and class $1\frac{1}{2}$ height district, and used and occupied since 1930 without a certificate of occupancy as follows: 1st floor—restaurant, 75 persons; 2nd floor—factory now vacant, 20 persons; 3rd floor—factory now vacant; that it is proposed to be used and occupied as follows: 1st floor—restaurant, 75 persons; 2nd floor—office, sales and stock rooms, 5 persons; 3rd floor—manufacturing furs, 5 persons; that no combustible material will be used on the premises; that the building is provided with one 3 foot 8 inch wide interior steel and concrete stairs, enclosed in partitions of metal lath and Portland Cement plaster equipped with fireproof self-closing doors and leading direct to street and provided with a ladder and scuttle to roof; that one fire escape on the rear extending to yard by ladder with egress from yard through restaurant to street; that window and door openings on the course of the fire escape are fireproof self-closing; and

WHEREAS, the applicant states that the building has fire escapes balconies at the rear on the 2nd and 3rd floors as a horizontal exit running to the windows of the building at 149 West 28th Street, which building was recently sold to a new owner and the horizontal exit can no longer be used; that it is therefore proposed to install a new fire escape on the rear leading to the yard with egress from its lower termination through the restaurant on the 1st floor to West 29th Street; and

WHEREAS, the applicant contends that the restaurant has a direct egress to the street; that it is opened early in the morning before any of the tenants of the upper floors open their place of business; that the restaurant remains opened after the place of business above are closed; that the 2nd and 3rd floors will not have more than 5 occupants on each floor and there will not be more than 10 persons above the 1st story; that since the building is small and only 3 stories in height and has a legal interior stairway and as there is no other practical way of creating a second means of egress except by installing a fire escape at the front which would cover the entire front of the building, it would destroy the appearance and make it unrentable; that it is requested that a variance be granted to permit the proposed fire escape on the rear as indicated on plans filed with this appeal; and

WHEREAS, on June 16, 1923 under Calendar Number 1273-22-S, the Board modified an Order of the Fire Commissioner, requiring a front fire escape be erected on condition that a connecting iron bridge be maintained connecting with premises directly to the rear, and that any openings thereon shall be provided with fireproof, self-closing doors; that the interior stairhall partition shall be fire retarded and that a fixed double rung iron ladder shall be provided in the top story hall to a scuttle in the roof and that not more than 20 persons shall occupy the top story and that the top story shall be maintained as an open loft; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and found the rear fire escape has no proper means of reaching the street.

Resolved, that the decision of the Borough Superintendent, acting on B.N. Applic. 3705/56, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

746-57-A

APPLICANT—Samuel Rosenblum, for Alma G. Roos, owner.

SUBJECT—Application October 10, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—147-149 West 22nd Street, north side, 249 feet, 6 inches east of 7th Avenue, Block 798, Lot 17, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Charles Malkin.

ACTION OF BOARD—Appeal withdrawn.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the Board found the means of exit was blocked and general housekeeping conditions do not warrant the Board making any variance, therefore, this application should be withdrawn until the conditions are in proper shape for reinspection at which time the Board can restore it.

Resolved, that the appeal be and it hereby is *withdrawn*.

433-29-BZ—Vol. IV

APPLICANT—Leonard F. Rothkrug, for Alexander Ratner, Paul Glaser and Ben Shames doing business as Fit-Rite Auto Glass and Collision Service Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7i of the Zoning Resolution, permitting in a business use district, the proposed change of occupancy from auto repair shop, wheel alignment, greasing, to auto repair shop, painting, spraying and open space for parking and storage of more than 5 motor vehicles.

PREMISES AFFECTED—807-817 East New York Avenue, north side, 280 feet 6¾ inches west of Schenectady Avenue, Block 1429, Lots 56, 59, 60 and 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. IV on May 15, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on September 10, 1957; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 15, 1947, as thereafter *amended* by resolutions adopted through September 10, 1957, by adding thereto:

"that there may be an additional overhead door to the sprayroom, as indicated on plans filed with this request for amendment, marked 'Received June 12, 1958', 1 sheet, and as passed on by the Borough Superintendent under Alt. Applic. 483/51, under date of June 11, 1958, *on condition* that in all other respects the resolution above cited shall be complied with; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 483/51)

666-41-BZ

APPLICANT—Peggy Cooney, for Socony-Vacuum Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district, the erection and maintenance of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—2472-2484 Flatbush Avenue and 4213-4223 Avenue U, northwest corner, Block 8542, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Peggy Cooney and E. H. Snackenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 2, 1941, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted December 2, 1941 by adding thereto:

"that in the event the owner desires to install six additional 550 gallon approved gasoline storage tanks, such may be permitted; making a total of eleven such tanks; that tanks that are now in use that have been installed for seventeen years shall be tested by the Fire Department as to structural condition; as now shown on revised plans marked "Received June 18, 1958", one sheet, and passed by the Borough Superintendent under GT App. 1278 under date of May 26, 1958."

545-44-BZ—Vol. II

APPLICANT—Max Siegel Associates, for All States Holding Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the change of occupancy on the 1st floor in the present 6 story structure from garage to showrooms.

PREMISES AFFECTED—410-416 East 54th Street, south side, 194 feet east of 1st Avenue and 415-423 East 53rd Street, Block 1365, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

WHEREAS, this application was granted by the Board as Vol. II on July 23, 1957, on certain conditions; and

WHEREAS, the resolution was amended on April 15, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957, as thereafter *amended* by resolution adopted April 15, 1958, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and the work is now in progress, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."
(Alt. App. 1505/56)

790-45-BZ

APPLICANT—Charles F. Murphy, for Samuel Block, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7f of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, auto and electrical supply showroom, lubritorium, auto laundry, brake testing, wheel aligning and minor repairs with hand tools only.

PREMISES AFFECTED—178-68 to 178-90 Conduit Avenue (Boulevard), and 144-76 to 144-82 Farmers Boulevard, southwest corner, Block 4510, Lots 1 and 201, Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Charles F. Murphy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 9, 1945, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on February 28, 1956; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 9, 1946, as *amended* by resolutions adopted on May 27, 1947, May 25, 1948, October 26, 1948, May 24, 1949, June 13 1950 and February 28, 1956, only as to the reference to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision c from the date of this *amended* resolution to permit; that other than as herein *amended* the resolutions above cited shall be complied with in all respects." (N. B. App. 1880/45)

282-48-BZ

APPLICANT—Lama, Proskauer and Prober, for Michael D. Gregorio, owner.

SUBJECT—Application for consideration — reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a residence and local retail use district, the erection and maintenance of a gasoline service station, lubritorium and auto laundry.

PREMISES AFFECTED—1001 White Plains Road and 1895 Bruckner Boulevard, northwest corner, Block 3732, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 20, 1948, on certain conditions; and

WHEREAS, the resolution was amended on April 27, 1954; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 20, 1948, as thereafter *amended* by resolution adopted on April 27, 1954, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision e for a term of 15 years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that a new certificate of occupancy, shall be obtained." (N. B. App. 2169/48; Misc. 266/44)

212-50-BZ

APPLICANT—Peggy Cooney, for Morris Leibson, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7f and 7i of the Zoning Resolution, permitting for a term of 15 years, in the business use district, the erection and maintenance of a building to be used as a store, auto showroom for new and used cars, motor vehicles repairs, wheel alignment and service, lubritorium, car washing, salesroom, parts department; and permitting the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—29-16 to 29-44 Francis Lewis Boulevard and 29-11 to 29-33 172nd Street, southeast corner and 29-36 Utopia Parkway, Block 4938, Lots 1, 13, 14, 15, and 16, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Peggy Cooney and E. H. Snackenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

MINUTES

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 5, 1950, on certain conditions; and

WHEREAS, the resolution was amended on April 12, 1955; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 5, 1950 to record a new owner, namely, Morris Leibson; prior owner, Jeanette G. Willis; and to *amend* as to gasoline pumps so as to permit new gasoline pumps of a low approved type in place of the parkway type pumps that were previously required by the resolution above cited; and that in all other respects the resolution above cited shall be complied with, as shown on revised plans marked "Received June 18, 1958, one sheet, and passed by the Borough Superintendent under Misc. App. 398-58, disapproved June 13, 1958."

367-51-BZ—Vol. III

APPLICANT—Ingram S. Carner, for Patrick Flood, Laura Grieco and John Banser, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business use district, the extension of an existing gasoline service station, to be as a lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of auto accessories and parking of more than 5 cars awaiting service.

PREMISES AFFECTED—50-72 Jamaica Avenue and 2-16 Pennsylvania Avenue, southwest corner and 1-7 Sheffield Avenue, Block 3659, Lots 1, 14 and 15, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ingram S. Carner.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 8, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution as adopted under Vol. III on April 8, 1958 by adding thereto:

"that the accessory building may be located 54 feet west of Pennsylvania Avenue instead of 65 feet west as previously proposed; that the masonry rubbish enclosure may be eliminated; and that the facing of the accessory building may be Tennessee ledge stone in place of face brick as previously required; that in all other respects the resolution above cited shall be complied with; and changes as herein requested as shown on revised plans marked 'Received June 19, 1958', two sheets, as passed by the Borough Superintendent under NB App. 1617-57, objection disapproved June 10, 1958".

16-52-BZ

APPLICANT—Sidney Fischer, for Jeffrey Operating Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking and storage of motor vehicles for a term of years.

PREMISES AFFECTED—365-369 East 8th Street, north side, 183 feet east of Avenue C, Block 378, Lots 56, 57 and 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Fischer.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 20, 1952, on certain conditions; and

WHEREAS, the term of variance was extended on July 17, 1956; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 20, 1952, as thereafter amended by resolution adopted on July 7, 1956 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of 5 (five) years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution."
(Alt. App. 1659-51)

42-56-BZ

APPLICANT—Paul Friedman, for Carmine A. Ventiera and Anne Reimer, as Executors of the Estate of Catherine J. Haupt, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs (hand tools only), auto washing (non-automatic) office storage and sales of auto accessories, parking for more than five motor vehicles.

PREMISES AFFECTED—1-9 Euclid Avenue and 790-794 Jamaica Avenue, southeast corner, Block 4105, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and time to complete work extended.

MINUTES

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 24, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 16, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 24, 1956, as thereafter *amended* by resolution adopted on July 16, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that negotiations are pending for a lessee, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."
(N. B. App. 2861/55)

347-56-BZ

APPLICANT—The Chase Manhattan Bank, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 2, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 21 of the Zoning Resolution, permitting in a Class 2½ height district, the erection of a tower covering 27.30% of the lot exterior walls facing Liberty and William Streets beyond the allowable setbacks as permitted by Section 9(d) of the Zoning Resolution.

PREMISES AFFECTED—28-40 Nassau Street, east side, block front from Cedar Street to Liberty Street, 12-50 Liberty Street, 55-77 William Street and 30-44 Pine Street, Block 44, Lots 1-4 inclusive, 14 and 19, Block 45, Lots 4, 5, 7, and 11, Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob I. Goodstein and Benjamin William Mehlman.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 12, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 2, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 12, 1956 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N. B. App. 21-56)

776-56-BZ

APPLICANT—Kenneth W. Milnes, for Richmond Motor Fuels, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a residence use district, the reconstruction and maintenance of a gasoline service station, office, sales, car wash and minor repairs with hand tools.

PREMISES AFFECTED—1874 Clove Road, southwest corner of Britton Avenue, Block 3154, Lot 41, Concord, Borough of Richmond.

APPEARANCES—

For Applicant: Kenneth W. Milnes.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution" (N. B. App. 953-56)

777-56-BZ

APPLICANT—Kenneth W. Milnes, for Richmond Motor Fuels, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 25, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a retail and residence use district, the reconstruction and maintenance of a gasoline station, office, sales, car wash, minor motor repairs.

PREMISES AFFECTED—1810 Forest Avenue, southwest corner of Richmond Avenue, Block 1706, Lot 28, Granitville, Borough of Richmond.

APPEARANCES—

For Applicant: Kenneth W. Milnes.

ACTION OF BOARD—Application reopened and time to complete work extended.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 25, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N. B. App. 897-56)

791-56-BZ

APPLICANT—Kenneth W. Milnes, for Richmond Motor Fuels, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a retail and residence use district, the reconstruction and rehabilitation of an existing gasoline service station, office, sales, car wash and minor repairs.

PREMISES AFFECTED—4000-4008 Hylan Boulevard, southwest corner of Nelson Avenue, Block 5298, Lot 20, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Kenneth W. Milnes.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N. B. App. 896/56)

7-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Ethel Peres, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e, 7f, 7h and 7i of the Zoning Resolution, permitting in a business and residence use district, the construction and maintenance of a gasoline service station, lubricatorium, auto inspection, minor auto repairs, car wash, store room, office, store, parking and storage of motor vehicles.

PREMISES AFFECTED—2317-2327 Ralph Avenue, 6402-6414 Avenue M, southeast corner and 1302-1320 East 65th Street, Block 8354, Lot 34, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 23, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work and amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 23, 1957, by adding thereto:

"that the accessory building may be changed in shape as now shown on revised plans marked 'Received June 18, 1958,' two sheets, and passed by the Borough Superintendent under NB App 2010-56, disapproved June 13, 1958, *on condition* that in all other respects the requirements of the resolution above cited shall be complied with; and all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."

330-57-BZ

APPLICANT—Irving M. Kramer, for Brookday Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7c and 21 of the Zoning Resolution, permitting in a residence and business use C area district, the erection of a one story structure occupying more than the permitted area.

PREMISES AFFECTED—415-425 Kings Highway and 1766-1780 West 1st Street, northwest corner, Block 6655, Lot 34, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Kramer.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 23, 1957, on certain conditions; and

MINUTES

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N. B. App. 504-57)

331-57-BZ

APPLICANT—Irring M. Kramer, for Brookday Realty Corp., owner. State Dept. of Labor, Division of Unemployment Insurance Claims, lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 21 of the Zoning Resolution, permitting in a C area district, the existing building occupying more than the permitted area caused by the reduction of the area of the original plot; previously granted on condition.

PREMISES AFFECTED—403-413 Kings Highway and 1761-1771 West 2nd Street, northeast corner, Block 6655, Lot 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Kramer.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 23, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (Alt. App. 908-57)

634-54-BZ—Vol. II

APPLICANT—Paul Friedman, for 102 West End Avenue Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under Sections 7e, 7i, 7h and 7A of the Zoning Resolution, permitting the demolition of existing frame structures and

the erection and maintenance in the retail use district portion of a plot located in a residence and retail use district, of a gasoline service station, lubritorium, auto laundry, motor vehicle repairs, storage and sale of accessories, and office, with a curb cut nearer the residence use district than is permitted; and to permit the parking and storage of motor vehicles, with a curb cut in residence use portion of plot.

PREMISES AFFECTED—210-02 to 210-12 Hempstead Avenue and 103-01 to 103-19 219th Street, southeast corner, Block 11154, Lot 18, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure; and that the applicant shall furnish the Board, just prior to the hearing as may be set, a new traffic count as of approximately that date.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

309-40-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Domenick Salzone, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e and 21 of the Zoning Resolution, permitting in a residence use, C area district, for a term of years, the maintenance of a public garage for more than 5 motor vehicles, using more than the area permitted and without the required rear yard.

PREMISES AFFECTED—125-127 Carroll Street, north side, 129 feet west of Henry Street, Block 349, Lot 32, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Request to reopen withdrawn; the owner has decided not to proceed.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

Adjourned: 5:00 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 25, 1958, as they appeared in Bulletin No. 13, Vol. 43, hereby corrected to read as follows:

925-57-BZ

APPLICANT—James E. Vassalotti, for Harry Augen, owner.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office, sales, storage and parking of motor vehicles and ground sign on the retail portion of the plot, for a stated term of fifteen (15) years.

MINUTES

PREMISES AFFECTED—133-10 to 133-16 (133-12 official), Liberty Avenue and 104-01 to 104-11 133rd Street, southeast corner Block 9587, Lots 1 and 2, Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: James E. Vassalotti and R. S. Hardy.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper..... 3
Negative 0
Absent: Chairman Murdock and Commissioner Foley.. 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on March 4, 1958 after due notice by publication in the Bulletin; laid over to March 11, 1958, at the request of an objector; no further request for adjournment to be considered; then to March 25, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 133rd Street and 134th Street are in retail and residence use, D and E area, class 1 and class ½ height districts; Liberty Avenue is in a retail use, D area, class 1 height district; 105th Avenue is in a residence use, E area, class ½ height district; that as of July 25, 1916 that part of the premises within 100 feet of Liberty Avenue was in a business use district; that the present height and area designations for that part of the premises within the residence use district became effective June 30, 1947; that the present use designation for that part of the premises within 100 feet of Liberty Avenue became effective May 23, 1957; and

WHEREAS, the decision of the Borough Superintendent, dated December 5, 1957 acting on N.B. Applic. No. 3546-57, reads:

"1. Proposed erection of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, and storage and parking of motor vehicles on a lot in a retail use district and extending into a residence use district is contrary to Art. 2, Sec. 4-A and Sec. 3 of the Z.R.

2. Proposed erection of a ground sign on the retail portion of the lot is contrary to Art. 2, Sec. 4-A of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 78.17 feet frontage by 125.10 feet in depth, irregular, presently vacant except for two billboards; that a variance is requested for a temporary period of fifteen years to erect a modern gasoline service station consisting of twelve 550 gallon gasoline tanks and six dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction without cellar and with a frontage of 58 feet, a depth of 28 feet and will contain the conjunctive uses of lubritorium, car wash, minor auto repairs, store room, office and sales; that the open portion of the plot will be reserved for the parking and storage of motor vehicles; and

WHEREAS, the applicant contends that although the site is situated in a retail and residence use district, the gasoline station will be confined strictly to the retail portion of the plot; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e, f and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use dis-

trict regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e, f and i, to permit the premises to be occupied as a gasoline service station and accessory uses for a term of fifteen years substantially as shown and proposed on plans filed with this application marked "Received December 18, 1957", 4 sheets, *on condition* that on the lot line to the south where the applicant proposes a woven wire fence there shall be erected a brick wall not less than five feet six inches in height, which brick wall shall be moved five feet off the lot line and which shall be continued on the lot line to the east where the woven wire fence is presently shown; that this brick wall required to be erected along the *southerly* lot line may be stepped down to a height of four feet within 20 feet of the building line; that a planted area shall be maintained, as shown, and protected by a concrete curbing not less than six inches in height; that tanks shall be restricted to twelve 550 gallon approved gasoline storage tanks; that three pump islands may be permitted facing Liberty Avenue and not less than fifteen feet from the building line; that there may also be three similar pump islands, as shown, not less than fifteen feet from the 133rd Street building line; that pumps shall be of an approved low type; that where not occupied by the accessory building and pumps the balance of the premises shall be surfaced with concrete or bituminous paving; that under Section 7h for a similar term the parking of motor vehicles may be permitted; that under Section 7i for a similar term there may be minor repairs with hand tools only for adjustments maintained solely within the accessory building; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs but permitting the erection of a post standard for supporting a sign, which may be illuminated, at the intersection of Liberty Avenue and 133rd Street, as shown, and permitting such sign to extend beyond the building line for a distance of not more than four feet; that in all other respects all laws, rules and regulations applicable to the premises and occupancy shall be complied with; that curb cuts shall be restricted to one to 133rd Street not more than 30 feet in width and two to Liberty Avenue not more than 20 feet in width, as shown; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall require; that there shall be no cellar under the accessory building; that the sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; and that all permits, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

* Correction—In the resolution, reference to the requirement of a brick wall, corrected to read "on the *southerly* lot line" as indicated in italics.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 24, 1958, as they appeared in Bulletin No. 26, Vol. 43, hereby corrected to read as follows:

38-58-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for Metropolitan Life Insurance Co., owner.

SUBJECT—Application January 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a 1¼ and 2 times height district, to maintain the present 23 story building with 14 story tower above, making a total of 37 story and penthouse building, used as an office building, separate and apart

MINUTES

from the building on Block 1278, Lot 67, designated as 2-4 East 44th Street not in conformity with Board of Standards and Appeals resolution Cal. No. 741-27-BZ.

PREMISES AFFECTED—519-521 5th Avenue, northeast corner of East 43rd Street, Block 1278, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth, Herman M. Glassner, Erwin Wolfson and Irwin Clavan.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 27, 1958 after due notice by publication in the Bulletin; laid over for applicant to send out new notices by regular mail for hearing on June 3, 1958; then to June 10, 1958, for further consideration; then to June 17, 1958, because of the fact that the Corporation Counsel asked for time to render an opinion as to the adequacy of the agreement; then to June 24, 1958, pending receipt of report from the Corporation Counsel as to the agreement; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Fifth Avenue, Madison Avenue, East 43rd Street and East 44th Street are in a restricted retail use, B area, class 1¼ and class 2 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 20, 1957 acting on Alt. Applic. No. 996-57, reads:

"1. Proposed separation of 2-4 East 44th St. (Block 1278, Lot 67) from 519-521 Fifth Ave. (Block 1278, Lot 1) does not conform with B. S. & A. Resol. 741-27-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 104 feet frontage by 184 feet 4 inches in depth, occupied by a 37 story and penthouse office building; that it is proposed to obtain a new Certificate of Occupancy applicable to the building located on Lot 1 only—no structural changes involved; and

WHEREAS, the applicant states that Board of Standards and Appeals Resolution No. 741-1927-BZ provides, in part: Lot No. 67, Block 1278, with a frontage of 45 feet on 44th Street and a depth from the building line thereof of 96 feet 10 inches shall be maintained in conjunction with and as part and parcel of this plot; that at this site there is now a 37 story and penthouse office building; that above the 23rd floor level the tower area conforms with the Resolution of the Board under Cal. No. 741-27-BZ; that in order to construct this tower with an area of 5844 square feet, it was necessary to include Lot 67 of Block 1278 in the plot; that the computation for the tower area on Lot 1 is as follows:

Area of Lot 67	4,357 sq. ft.
Area of Lot 1	19,047 sq. ft.
Total	23,404 sq. ft.
Allowable tower area 25%.....	5,851 sq. ft.
Physical tower area	5,844 sq. ft.

and

WHEREAS, the applicant further states that another application has been filed with the Department of Buildings for

premises 523-529 Fifth Avenue, 2-4 East 44th Street, as Alt. Applic. No. 512-57; that under the latter application it is proposed to extend the present 12 story office building located on Lot 69 of Block 1278 to 19 stories in height; that as part thereof, it proposes to extend the construction of this building to Lot 67—2-4 East 44th Street— of Block 1278, which construction will be of the same height with corresponding floors; that this horizontal extension will, in fact, contain the elevators and stairs for the altered building; that further reference is again made to Resolution under Cal. No. 741-27-BZ: "and this portion of the plot on 44th Street front" (Lot 67 on Block 1278) "shall be limited in height to the restrictions for this street front as provided in the zone resolution"; that under such resolution the tower area commenced at elevation plus 261.90 feet above the datum for Lot 1; that the construction on Lot 67 will extend only to elevation 260.69 feet above the datum for Lot No. 1, and there will be no increase in tower area contrary to the Board's Resolution under Cal. No. 741-27-BZ; that the appeal is to obtain a Certificate of Occupancy applicable solely to the building on Lot No. 1; that to protect the public health, safety and general welfare, a covenant will be entered into by the owners of the improvements on Plots 1, 67 and 69, running with the land, which will limit further construction on Lot 67 and Lot 69 to the heights and areas mentioned herein or as may be indicated on the drawings filed with this appeal; and

WHEREAS, the applicant states that the present owner has held title to the property since June 17, 1940; that the assessed valuation of land is \$3,250,000 and of the building \$4,500,000 making a total of \$7,750,000; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the approval of the Corporation Counsel has been obtained as to the agreement entered into by the parties hereto and such agreement filed in the Office of the Register, New York County; and

WHEREAS, such agreement assures for all time the legality of the tower building with lot 67 as part of the plot to comply with the requirements of resolution adopted Calendar Number 741-27-BZ; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to height on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the height district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21, to permit the height of the proposed building on Block 1278, Lot 67, as indicated on plans filed with this application marked "Received March 18, 1958", 1 sheet, "April 24, 1958", 2 sheets, and "January 14, 1958", 1 sheet, on condition that a copy of the agreement filed herein shall be filed with the Borough Superintendent, as signed by the parties thereto, namely, Clarson Company, Metropolitan Life Insurance Company and Bankers Trust Company; that the building in all other respects shall comply with all laws, rules and regulations other than as may be modified by the Board under Calendar No. 39-58-BZ; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

* Correction—In the 3rd Whereas clause from the resolved change the word approval to read agreement.

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RULES RELATING TO SMOKING IN PROTECTED PORTIONS OF FACTORIES, AND IN SPECIAL CLASSES OF OCCUPANCIES.

Adopted by the Board of Standards and Appeals August 13, 1918, effective September 9, 1918, under the powers conferred upon the Board by Section 718-a, Subsections 2 and 3 (Old Charter) to supplement Section 283 of the Labor Law (Old Section 83c).

[Cal. 1262-18-SR]

Labor Law

Section 283. Smoking.

1. No person shall smoke in a factory. A notice of such prohibition stating the penalty for violation thereof shall be kept posted in every entrance hall, elevator, stair hall and room of a factory in English, and in such other languages as the fire commissioner of the city of New York in such city and elsewhere the commissioner shall direct.

2. The board in its rules may permit smoking in protected portions of a factory, or in such classes of occupancies where in its opinion the safety of the employees will not be endangered thereby. The fire commissioner of the city of New York in such city and elsewhere the commissioner may issue such permits in accordance with rules adopted by the board.

3. The fire commissioner of the city of New York in such city and elsewhere the commissioner shall enforce this section.

RULE 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator car, in English, and also in such other language or languages—as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon the expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which the hours between which, and the place or places in such factory where smoking may be permitted, and this

permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;
(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

2.05
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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OFFICE HOURS FOR PUBLIC—9 a.m. to 4 p.m.

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Matter of Woltman vs. Murdock:—On February 26, 1957, the Board granted a variance under Section 7, subdivisions e and h, of the Zoning Resolution, for a term of five years, to permit in a business and residence use district, on an unbuilt-upon portion, the premises to be occupied for parking of motor vehicles; Cal. No. 662-56-BZ; Premises 3875 Flatlands Avenue, north side, and 1973 Flatbush Avenue, Borough of Brooklyn.

At Special Term, Supreme Court, Mr. Justice Morrissey annulled the Board's determination in a lengthy decision, as printed in Bulletin of November 12, 1957 and appearing in New York Law Journal of November 8, 1957, page 9.

An appeal was filed by the Corporation Counsel.

The Appellate Division, Second Department, reversed the lower court and affirmed the Board's determination, stating in part, as follows: (New York Law Journal, July 9, 1958, pages 4 and 5):—

"The Board appears to have acted upon a reasonable basis and on sufficient evidence to permit the exercise of its discretionary powers under subdivisions e and h of Section 7, and since it acted within its jurisdiction, the determination may not be set aside....."

* * *

Matter of Tuohy vs. Murdock:—On January 21, 1958, the Board granted a variance under Sections 7f, 7h and 7A of the Zoning Resolution, to permit for a period of fifteen years, in a retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car wash, storage, office and sales, and the parking and storage of motor vehicles, with show windows within 75 feet of a residence use district; Cal. No. 342-54-BZ, Vol. II; Premises 76-09 to 76-19 (76-15 official) Main Street and 144-01 to 144-09 76th Road, northeast corner, Flushing, Borough of Queens.

At Supreme Court, Special Term, Mr. Justice Kusnetz, affirmed the Board's determination in the following decision, appearing in the New York Law Journal of July 17, 1958, pages 5 and 6:—

"In a proceeding to review and annul the determination of respondents granting to the predecessors in title of the intervenor-respondent a variance under section 7(f), 7(h), 7(i) and 7(A) of the Zoning Resolution permitting them to erect a gasoline station in a retail use area, respondents and intervenor-respondent move to dismiss the petition and for related relief. Since this court cannot say on the record before it that the determination of respondents was arbitrary or capricious or contrary to law, the motions are granted in all respects (Matter of Taub v. Pirnie, 3 N. Y. 2d 188; Matter of Reed v. Board of Standards and Appeals, 255 N. Y. 126; Matter of Sima v. Board of Standards and Appeals, 278 App. Div. 785; Ellsworth Realty Co. v. Kramer, 268 App. Div. 824). A word may be said as to petitioners' argument that the board was without jurisdiction to pass upon the application for a variance because two of the three members voting were not members of the board at the time of the public hearing and did not read a transcript thereof. In the Taub case (supra) it was contended that a board member who was absent from the hearing and did not read a transcript thereof was disqualified from voting. The Court of Appeals unanimously overruled that contention, saying (at p. 195) that 'the emphasis has always been upon whether the administrative body had the opportunity to make an "informed" decision * * * and, in the absence of a "clear" revelation that the administrative body "made no independent appraisal and reached no independent conclusion," its decision will not be disturbed.' The rationale of that decision requires a like result here. Given an adequate showing of facts to support the conclusion that the vote of the absentee member, as in the Taub case, or of the non-member as in this case, was based upon an independent appraisal and that an independent conclusion was reached, the decision of the administrative body may not be disturbed. Such a showing is made in the papers before the court. Smith v. State of New York (214 N. Y. 140) is not in point. There the rule to be followed in the case of the then Board of Claims was by statute declared to be that applicable to the Supreme Court. The Taub case lays down the rule to be followed in the case of administrative tribunals. Settle orders."

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418-58-BZ—B.M.—35 East 69th Street, north side, 125 feet west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan, Amendment to Alt. 8-58, re Doctor's office, residence use district.

419-58-A—F.D.—32-01 Queens Boulevard, north side, 32-00 Skillman Avenue, south side, entire block bounded by Queens Boulevard, Skillman Avenue, Van Dam Street and 32nd Place, Block 245, Lot 9, Long Island City, Borough of Queens, Order 4599-8, Spraying equipment not approved.

420-58-BZ—B.M.—335-337 East 75th Street, north side, 125 feet west of 1st Avenue, Block 1450, part of Lot 20, Borough of Manhattan, Amendment to N.B. 26-58, business use, residence district—stores.

421-58-BZ—B.M.—205-235 East 20th Street, north side, 75 feet east of 3rd Avenue, Block 901, Lots 6, 9, 14, 40, 41, 42, 43 and 44, Borough of Manhattan, N.B. 53-58, re erection of new building excessive 1½ times district, local and retail use district.

422-58-BZ—B.B.—2532-2554 86th Street, south side, from Bay 40th to Bay 41st Street, 1-11 Bay 40th Street and 2-12 Bay 41st Street, Block 6868, Lots 37, 49, 50 and 51, Borough of Brooklyn, Alt. 2237-58 re parking for patron's cars, residence and business use district.

423-58-BZ—B.B.—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn, Alt. 3526-57, re telephone answering service base-ment, business and residence use district.

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131-51-A—Vol. II—BM—438-444 West 55th Street, south side, 250 feet east of 10th Avenue, Block 1064, Lot 51, Borough of Manhattan, Alt. 1472-57 re exterior stairs to extend to roof, interior partitions including doors to be of incombustible material.

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Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

JULY 22, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, July 22, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.
SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt

upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.

SUBJECT—Application November 21, 1956—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner, Block 4079, Lots 35, 36 and 37, Borough of The Bronx.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) South of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district,

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the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.
PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.
SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 5 construction less than 4 feet from Lot line.
PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.
SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.
PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.
SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.
PREMISES AFFECTED—1412 Bay Ridge Avenue south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.
SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic laundry and parking of cars awaiting service.
PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green, for Merry Twins, Inc., owner.
SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.
PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

938-57-BZ

APPLICANT—Leonard F. Rothkrug, for Bel-Harb Corporation, owner.
SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, an increase in the number of apartments in an existing five story multiple dwelling from 38 to 43, the additional apartments are to be part of the basement reconstruction.
PREMISES AFFECTED—123-11 Rockaway Beach, Boulevard, southeast corner of Beach 124th Street, Block 763, Lot 1, Belle Harbor, Borough of Queens.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.
SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.
PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.
SUBJECT—Application reopened February 11, 1958, as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the open garage for more than five (5) motor vehicles into the adjoining lot.
PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.
SUBJECT—Application reopened June 10, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.
PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner. Block 5750, Lot 42, Borough of Brooklyn.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.
SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.
PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

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191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for the manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

PREMISES AFFECTED—57 Park Avenue, eastside 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

963-57-BZ—VOL. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirrillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution to permit in a residence use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

148-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a residence use district, the reconstruction of a present gasoline service station and continue the uses of office, storage and sale of auto accessories, car wash—non automatic, minor auto repairs with hand tools only, lubritorium and the parking of more than five (5) motor vehicles awaiting to be serviced.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, New Dorp, Borough of Richmond.

Laid over from June 24, 1958, date to be set for inspection and decision; hearing closed; then set for July 22, 1958 at 10 A. M.

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co. Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re curb cuts located in the bed of a mapped street-proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

116-33-BZ

APPLICANT—Joseph Lau, for Lurose Realty Corp., United States Trucking Corp., lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired March 2, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business use district, the extension of an existing garage for more than five (5) motor vehicles—pleasure type and fifteen (15) trucks in the ownership and control of the owner—granted by the Board under Cal. 30-430-BZ resolution amended to include storage of more than five trucks by a trucking concern for a term of five (5) years.

PREMISES AFFECTED—50-56 Downing Street and 214-218 West Houston Street, north side, 159 feet 6¾ inches east of Varick Street, Block 528, Lots 13, 28, 29, 30 and 31, Borough of Manhattan.

5-58-BZ

APPLICANT—Patrick D. Concagh, for Saverio S. Piscane, owner.

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SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) cars on a vacant plot of land.

PREMISES AFFECTED—717-719 East 217th Street, north side, 130.35 feet east of White Plains Road, Block 4665, Lots 40 and 43, Borough of The Bronx.

Laid over from July 1, 1958 to July 22, 1958, for inspection and decision; hearing closed.

126-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Celia Katz, owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a four story building with basement and cellar, the change in use of the basement from doctor's office and apartment to dressmaking and sales and the change in use of the first floor from two apartments to Photo Studio and Beauty Salon and the upper floors to retain their use as apartments.

PREMISES AFFECTED—38 East 63rd Street, south side, 182 feet east of Madison Avenue, Block 1377, Lot 45, Borough of Manhattan.

Laid over from July 1, 1958 to July 22, 1958, for inspection and decision; hearing closed.

999-57-BZ

APPLICANT—Elias K. Herzog, for William W. Brill, et al., owners. Muriel S. Kessler and Rose H. Yarmark, partners.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises, after demolition of the existing tenement building, for the parking and storage of more than five (5) motor vehicles for a stated term of ten (10) years.)

PREMISES AFFECTED—136 Sullivan Street, north side, 75 feet west of Prince Street and 197 Prince Street, west side, 100 feet north of Sullivan Street, Block 518, Lots 41 and 46, Borough of Manhattan.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision; hearing closed.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michelena De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision; hearing closed.

196-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, carwashing, office and sales room, minor auto repairs and parking of more than five cars.

PREMISES AFFECTED—2590-2604 Bailey Avenue and 2587-2601 Heath Avenue, northeast corner, Block 3239, Lot 1, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed.

674-49-BZ—Vol. II

APPLICANT—Patrick D. Concagh, for Saverio and Peter Boffoli, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story structure for use as stores, storage of beer and soda, loading and unloading with patron parking and curb cuts for commercial use for a stated term of fifteen (15) years.

PREMISES AFFECTED—4391-4399 Baychester Avenue and 1960-1968 Nereid Avenue, southwest corner, Block 5056, Lot 38, Borough of The Bronx.

Laid over from July 8, 1958, to July 22, 1958, for inspection and decision; hearing closed.

940-57-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Frank Letizia, doing business as Rainbow Beverage Co., owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a soda bottling factory for a term of twenty (20) years.

PREMISES AFFECTED—2254 Light Street and 3787 Merrit Avenue, southwest corner, Block 4951, Lot 47, Borough of The Bronx.

Laid over from July 8, 1958, to July 22, 1958, for inspection and decision; hearing closed.

756-57-BZ

APPLICANT—Paul Friedman, for Mary Falco, owner.

SUBJECT—Application October 23, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit for a term of (15) fifteen years in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, sale and storage of auto accessories.

PREMISES AFFECTED—132-140 East 107th Street and 1710-1712 Lexington Avenue, southwest corner, Block 1634, Lot 158, Borough of Manhattan.

Laid over from July 8, 1958, to July 22, 1958, for inspection and decision; hearing closed.

426-57-BZ

APPLICANT—Patrick D. Concagh, for Moschella Homes, Inc., owner.

SUBJECT—Application June 6, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning resolution, to permit in a residence use, "D-1" area district, the erection of a one story class 3 building to be used for eight (8) retail stores and occupying more than the permitted area.

PREMISES AFFECTED—2509-2519 Eastchester Road, west side, 100 ft. north of Mace Avenue, Block 4480, Lot 78, Borough of the Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

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Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

Laid over from June 24, 1958, to July 8, 1958, for inspection and decision; hearing closed; then to July 22, 1958, for further inspection and decision.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to July 22, 1958, for applicant to submit revised plans for car washing building and decision.

HARRIS H. MURDOCK, *Chairman.*

JULY 22, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, July 22, 1958, at 2 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

761-57-A

APPLICANT—Sidney Daub, for Broadway Pastry Shop, Inc., owner.

SUBJECT—Application October 24, 1957—Appeal from a decision of the Borough Superintendent, re egress, factory building.

PREMISES AFFECTED—252-254 West 28th Street, south side, 155 feet, 6 inches east of 8th Avenue, 2nd floor; Block 777, Lot 72, Borough of Manhattan.

304-58-A

APPLICANT—Paul Trapani, for Florence Trapani, owner.

SUBJECT—Application May 16, 1958—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Sections 171(1) and 172(2) and Section 172(3), re Bulk and volume, yard area, etc.

PREMISES AFFECTED—636-644 Burke Avenue, southwest corner of Barker Avenue, 1st floor, Block 4543, Lot 26, Borough of The Bronx.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

355-58-A

APPLICANT—Albert B. Bauer, for Department of Public Works, City of New York, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re exits, wood shelves, etc.

PREMISES AFFECTED—112-114 East 96th Street, south side, 165 feet west of Lexington Avenue, Block 1524, Lot 64, Borough of Manhattan.

87-58-A

APPLICANT—Donald J. Colasano, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue Block 5379, Lots 4, 6 and 7,, Flushing, Borough of Queens.

685-48-A—Vol. III

APPLICANT—Francis Seaman for Surface Transit, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III Appeal from a decision of the Borough Superintendent re: relocation of fuel oil pump, dispensing panels and installation of four additional diesel oil dispensing pumps in basement.

PREMISES AFFECTED—4065-4079 10th Avenue, southeast corner, 218th Street West, Block 2213, Lot 6, Borough of Manhattan.

221-55-A—Vol. III

APPLICANT—Charles L. Koester for Joseph Casa, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. III —Appeal from a decision of the Borough Superintendent re: change of a one family dwelling to a two family dwelling.

PREMISES AFFECTED—84-20 267th Street, southwest corner of East Williston Avenue, Block 8811, Lot 25, Floral Park, Borough of Queens.

313-57-A

APPLICANT—Addie Vallins, Inc., owner.

SUBJECT—Application April 17, 1957—Appeal from an order and a decision of the Borough Superintendent, re interior fire alarm system.

PREMISES AFFECTED—40 West 170th Street, northwest corner of Cromwell Avenue, Block 2871, Lot 94, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

965-57-A

APPLICANT—Hetkin, Jervis and Hetkin, for Golf House, Inc., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction—public use.

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PREMISES AFFECTED—40 East 38th Street, south side, 80 feet west of Park Avenue, Block 867, Lot 43, Borough of Manhattan.

123-58-A—Vol. II

APPLICANT—Abraham Grossman for Benjamin Gordon, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: lawful means of egress and provision of lawful stair enclosure.

PREMISES AFFECTED—821-823 Broadway and 51 East 12th Street, northwest corner, Block 564, Lot 22, Borough of Manhattan.

340-58-A

APPLICANT—Merrill and Holmgren, architects for Brighton Heights Reformed Church.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re frame structure—stair enclosure.

PREMISES AFFECTED—322 St. Marks Place, southwest corner of Fort Place, Block 16, Lot 68, St. George, Borough of Richmond.

366-58-A

APPLICANT—Ross & Atkin, for Alexanders' Department Store, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re removal of fire wall.

PREMISES AFFECTED—2948-2954 and 2962-64 Third Avenue, east side, 50.32 feet south of East 153rd Street and 635-655 Bergen Avenue, Block 2362, Lots 44, 69 and 70, Borough of Bronx.

375-58-A

APPLICANT—Shreve, Lamb & Harmon Associates, for Bankers Trust Company, owner.

SUBJECT—Application June 13, 1958—Appeal from a decision of the Borough Superintendent, re: width of stairways inadequate for number of persons.

PREMISES AFFECTED—10-16 Wall Street, 1-9 Nassau Street, northwest corner and 7-11 Pine Street, Block 46, Lot 9, Borough of Manhattan.

402-58-A

APPLICANT—S. Walter Katx, for Steval Realty Corp., owner.

SUBJECT—Application July 2, 1958—filed pursuant to Section 35, General City Law re alteration and extension of building located in bed of a mapped street—proposed widening of 2nd Avenue.

PREMISES AFFECTED—1085 2nd Avenue, west side, 20 feet, 5 inches north of East 57th Street, Block 1331, Lot 22, Borough of Manhattan.

557-47-A—Vol. III

APPLICANT—Leonard F. Rothkrug for C & A Brenninkmeyer, Inc., owner.

SUBJECT—Application reopened July 1, 1958 as Vol. III—Appeal from a decision of the Borough Superintendent re: combination of buildings.

PREMISES AFFECTED—522-524-526-528 Fulton Street, south side, 60 feet east of Hanover Place, Block 161, Lots 27 and 34, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 29, 1958, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, July 29, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—(decision of the borough superintendent) under section 7h of the zoning resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed of mapped street—Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 ft. south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—(decision of the Borough Superintendent) under section 7e of the zoning resolution, to permit in a residence use district, a hair-dressing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, southeast corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio, owner; Salvatore DiLorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, sales room and office motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore DiLorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Berough of Richmond.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a business use district, in an open yard presently used for the storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

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PREMISES AFFECTED—195-199 Allen Street, west side, 175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five motor for patrons cars in conjunction with a proposed department store. Ashford Street, in block 4335.

PREMISES AFFECTED—732-764 Ashford Street and 820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision in connection with 168-58-BZ; hearing closed.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application May 13, 1957—(decision of the Borough Superintendent) under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for decision; hearing closed.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a lot partly in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.

PREMISES AFFECTED—2846 Webster Avenue, east side 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.

SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.

PREMISES AFFECTED—3960-3962 Bronxwood Avenue,

CALENDAR

east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of offices, lubricatorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

Laid over from June 24, 1958, to July 1, 1958, for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses it contained; then to July 15, 1958, for additional information as previously requested; hearing closed; then to July 29, 1958, for applicant to furnish information as to permits and size of plot and the date when original permit was issued by Fire Department and for inspection and decision; hearing closed.

121-49-BZ—Vol. II

APPLICANT—Herman Furrer, owner.

SUBJECT—Application reopened February 7, 1956 as Vol. II—decision of the Borough Superintendent, under section 7c and 7i of the Zoning Resolution, to permit in a retail use district, the erection of a one-story masonry extension and a frame extension to an existing gasoline service station and extend the use to include motor vehicle repair shop amending plans approved with Cal. No. 121-49-BZ—Vol. I and parking and storage of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—96-16 Metropolitan Avenue and 87-47 69th Avenue, southwest corner, Block 3886, Lot 845, Forest Hills, Borough of Queens.

Laid over from June 10, 1958, date to be set for new hearing; applicant to file plans, description and new statement; notices for new hearing to be served; referred to examiner for examination and setting for new hearing as notice for hearing was deficient as to time and after consideration it was determined that a new hearing should be scheduled with revised plans and new notice; now set for July 29, 1958 at 10 A. M.

121-49-BZ—Vol. I

APPLICANT—Herman Furrer, owner.

SUBJECT—Application for consideration—reopening as to amendment in reduction in size of building—re Application (decision of the Borough Superintendent), previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a business use district, the extension in area of accessory building on existing gasoline service station, to be used as an office, lubricatorium, auto laundry, showroom, storeroom, motor vehicle repair shop and storage of more than five motor vehicles waiting to be serviced (no fee).

PREMISES AFFECTED—96-16 to 96-24 Metropolitan Avenue and 87-47 to 87-53 69th Avenue, southwest corner, Block 3886, Lot 845, Forest Hills, Borough of Queens.

261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.

SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re signs, in vicinity of United Nations Headquarters.

PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

296-57-A

APPLICANT—George J. Steigerwald, owner.

SUBJECT—Application April 15, 1957—Appeal from an order of the fire commissioner, re use of premises as storage garage.

PREMISES AFFECTED—21-23 Coenties Slip, west side, 30 ft. south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.

PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

914-52-A—Vol. II

APPLICANT—Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.

SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re enclosed stairways.

PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of The Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner

SUBJECT—Application reopened December 17, 1957 as Vol. II—appeal from a decision of the Borough Superintendent—re: change in egress.

PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

475-55-A—Vol. II

APPLICANT—Harry A. Yarish, for Mar-Rin Realty Corp., owner.

SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re Class III construction increase in height—increase in number of beds, Nursing Home.

PREMISES AFFECTED—953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

369-58-A

APPLICANT—Leo M. Zamory, for Our Lady of Mercy Church.

SUBJECT—Application June 11, 1958—Appeal from a decision of the Borough Superintendent, re frame building, public use, live load, stairways.

PREMISES AFFECTED—2493 Marion Avenue, west side, 172.32 feet, north of East 188th Street, Block 3023, Lot 54, Borough of Bronx.

349-57-A

APPLICANT—Herman Kron, for Wallace Furniture Corp., owner.

SUBJECT—Application April 22, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—507 East 80th Street, north side, 148 feet east of York Avenue, Block 1577, Lot 7, Borough of Manhattan.

311-58-A

APPLICANT—Goldwater and Flynn, for Philip Spear, owner.

SUBJECT—Application May 19, 1958—Application to review a decision of the Borough Superintendent as to alteration in excess of 50% of valuation of buildings, sufficient to constitute a new building.

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PREMISES AFFECTED—169-171 East 77th Street, north side, 150 feet west of 3rd Avenue, Block 1412, Lots 29 and 30, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, September 17, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

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230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Krantzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubricatorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor auto repairs, storage, office and sales, parking of cars awaiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the

Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expired July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request

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of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.
SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening

of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, September 17, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

506-55-SA

APPLICANT—Cole Products Corporation, owner.

SUBJECT—Application June 14, 1955—Cole Spa Coin Operated Automatic Cup Vendor, Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe, approval of.

695-55-SA

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner, Gas-fired Unit Heater, Model FDS-55, approval of.

718-55-SA

APPLICANT—Empire Stove Company, owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C, approval of.

933-55-SM

APPLICANT—Town House Fabrics Corporation, owner.

SUBJECT—Application November 18, 1955—Hanover Drapery Fabric, approval of.

487-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.

SUBJECT—Application June 21, 1956—Temco Radiant Vented Circulator Room Type Gas Heater, Models 304-4, 604-4 and 754-4, approval of.

488-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.

SUBJECT—Application June 21, 1956—Temco Vented Circulator Room Type Gas Heater, Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4, approval of.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.

SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.

SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters and Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184, approval of.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Company, owner.

SUBJECT—Application January 11, 1957—Steelcraft Series 16B and 20B Doors, approval of.

561-57-SA

APPLICANT—Westinghouse Electric Corporation, owner.

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SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

131-58-SA

APPLICANT—H. M. Ficker for Enterprise Engine and Machinery Company, owner.
SUBJECT—Application March 13, 1958—Enterprise Combination Gas-oil Burners, Types AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

985-40-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

538-45-SA

APPLICANT—Cyclotherm Division of National U. S. Radiator Corp., owner.
SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.
SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.
SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates ¾ Hour Double-Hung Window; previously approved.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re 1½ Hour Flush Type Door; previously approved.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homar, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wood Batts; previously approved.

286-49-SA

APPLICANT—Maytag Company, owner.
SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers, namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol

Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.
SUBJECT—Application reopening and amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door (1¼ inch thick), ¾, 1 and 1½ Hour Rating; previously approved.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.
SUBJECT—Application reopening and amendment of resolution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.
SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.
PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September 23, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.
SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.
PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.
Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

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718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38

to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

SPECIAL MEETING

FRIDAY MORNING, JULY 11, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

385-58-SR

SUBJECT—Proposed rule to supplement Section 19A of the Zoning Resolution of the City of New York re required off-street loading berths for new construction, enlargements and conversions.

APPEARANCES—

For Applicant: Lathan Squire, Julian Roth, John R. O'Donoghue and Lewis Whiteman.

ACTION OF BOARD—Rule 1 adopted as printed on page 1480 of this Bulletin.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

Adjourned: 10:20 A.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY MORNING, JULY 15, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, July 1, 1958, were approved as printed in the Bulletin of July 8, 1958, Vol. 43, No. 27.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a lot partly in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.

PREMISES AFFECTED—2846 Webster Avenue, east side, 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Eugene Hegy.
For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastoriani, owners, 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and auto simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Licato and Dominick Schirripa.
For Opposition: None.

ACTION OF BOARD—Laid over to September 23, 1958, at 10 A. M. for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue; hearing previously closed.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner Boulevard, southwest corner of White Plains Road, Block 3671, Lots 50 and 60, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.
For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed; applicant to correct dimensions on plans.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Monroe Goldwater, Louis R. Colman, Samuel Rosenblum and Nat Gelfer.

For Opposition: Arthur L. Gould, Esq., Samuel Goldman, I. Davis, Harold Pearlman and Emily Citterbart.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, a hair-

dresssing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, southeast corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Charles Koester, Mary Yarocki and Frances Fischer.

For Opposition: Giovanni Nisith and J. M. Ehlers.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Philip Freshman.

For Opposition: Amelia Dockstader, Joseph A. Lagattuta and Sebastiano Fodera.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed of mapped street, Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Philip Freshman.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision in conjunction with Cal. No. 152-57-BZ; hearing closed.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application May 13, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard Feldman.

For Opposition: Benjamin Zucker and Osborne A. McKegney.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for decision; hearing previously closed.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio, owner; Salvatore Di Lorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station lubritorium, car washing, sales room and office motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

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PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker and Salvatore Di Lorenzo.
For Opposition: Theodore J. Malvin.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore Di Lorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re premises curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

For Applicant: Albert Melniker and Salvatore Di Lorenzo.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Segal and Maury O'Leck.

For Opposition: Charles A. Heeg, Andrew J. Reiff and Richard George.

For Administration: John J. Saunders, B'd. of Education.

ACTION OF BOARD—Laid over to September 17, 1958, at 10 A.M. to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and decision; hearing previously closed.

950-55-A—Vol II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Segal and Maury O'Leck.

For Administration: John J. Saunders, B'd. of Education.

ACTION OF BOARD—Laid over to September 17, 1958, at 10 A.M. to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and decision; hearing closed.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a business use district, in an open yard presently used for storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

PREMISES AFFECTED—195-199 Allen Street, west side,

175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Lester Lewis.

For Opposition: Philip R. Muldberg, Lucille Neulander and Elmer C. Gates.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: S. Carr.

For Opposition: None.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for hearing.

10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: J. Berman and Salvatore Congemi.

For Opposition: None.

ACTION OF BOARD—Laid over to July 22, 1958, at 10 A.M. for applicant to submit revised plans of car washing building and decision; hearing previously closed.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.

PREMISES AFFECTED—3960-3962 Bronxwood Avenue, east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh and S. A. Malfa.

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the

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parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 20th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A. M. for decision, after area has been further developed; hearing previously closed.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Louis Riger.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A. M. at the request of the applicant.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of office, lubritorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; applicant to furnish information as to permits and size of plot and the date when original permit was issued by the Fire Department; hearing closed.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Milton M. Steinberg, Max Fortunoff and Alan Fortunoff.

For Opposition: Edward Sacks, C. J. Cammarata for N. Y. C. Housing Authority, Senator Herbert I. Sorin, Assemblyman John Monteleone, Vito Mazzariello, Sue Sharkowsky, Bertha Apsel, Vincent DiPeri, John DiSclafzzi, Peter Quartuccio, C. Spataro, Bella Levitt, Anna Tudisco, Carmela Fauci and Yetta Blant.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five patrons cars in conjunction with a proposed department store on Ashford Street, in Block 4335.

PREMISES AFFECTED—732-764 Ashford Street and 820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision in connection with 168-58-BZ; hearing closed.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: Alfred Newman and Samuel Silverman.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.

SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and N. A. Willis.

For Opposition: Albert Greenblatt, Jenny Alper, Adolph Sky, Michael A. Russo, Mrs. A. Kanitz, Mrs. S. Di Gianno, Anthony J. Gagliarai and Howard M. Norris.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

172-16-BZ—Vol. II

APPLICANT—Herman Kron, for Banner Oil Company, Inc., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II re decision of the Borough Superintendent under sections 7c and 7h of the Zoning Resolution to permit in a business and residence use district, the reconstruction of an existing gasoline service station, minor auto repairs with hand tools only, auto laundry, garage for more than

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five (5) cars and parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing garage.

PREMISES AFFECTED—31-37 Church Avenue, north side, 100 feet east of Chester Avenue, Block 5313, Lots 34 and 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Application withdrawn in view of recommendation by Committee on Inspection that a different layout may be submitted; upon submission of new revised plans the Board may consider reopening under Vol. II.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

854-56-BZ

APPLICANT—Nathaniel C. Saxe, for Demetrios Dorizas, owner.

SUBJECT—Application December 11, 1956—decision of the Borough Superintendent under Section 7e of the Zoning Resolution, to permit in a residence use district, the conversion of the present living room to a beauty parlor in the existing three (3) story and basement frame structure.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue, Block 249, Lot 57, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Nathaniel C. Saxe.

For Opposition: None.

ACTION OF BOARD—Application withdrawn by the applicant in view of the recommendation by the Committee on Inspection, against a grant of variance.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

855-56-A

APPLICANT—Nathaniel C. Saxe, for Demetrios Dorizas, owner.

SUBJECT—Application December 11, 1956—Appeal from a decision of the Borough Superintendent, re frame building, business use.

PREMISES AFFECTED—427 Beach 20th Street, west side, 126 feet south of Brookhaven Avenue Block 249, Lot 57, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Nathaniel C. Saxe.

ACTION OF BOARD—Appeal withdrawn in view of recommendation by the Committee on Inspection in conjunction with withdrawal of Cal. No. 854-56-BZ.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

749-57-BZ

APPLICANT—Frederick A. Ketcher, for Louis Calder Foundation, owner (Kesbec, Inc., Lessee).

SUBJECT—Application October 21, 1957—decision of the Borough Superintendent under sections 7c, 7h, and 7i of the Zoning Resolution, to permit in a retail and residence use district, the permanent extension of the existing legal gasoline service station, and to permit the reconstruction and maintenance of the accessory building with the additional uses of lubrication, storage, car wash, office and sales and sale of used cars, minor motor vehicle re-

pairs, and a temporary variance to permit the parking of more than five motor vehicles.

PREMISES AFFECTED—688 Gunhill Road, south side of 1365-1375 White Plains Avenue. Block bounded by Gunhill Road, White Plains Avenue, and Olinville Avenue, Block 4628, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application withdrawn. *Whereas*, the owner has decided not to go ahead at this time and does not know when he will be able to proceed.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

339-32-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty Inc., owner.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence, business and manufacturing use district, on a plot developed with two (2) buildings, the change in use of one building from storage and seasoning of pickles and tomatoes to the manufacture of incombustibles and the change in use of the second building from furniture storage and warehouse to auto glass shop, mixing of lubricating oils, and knitting and spinning with a one-family apartment, and to have accessory loading and unloading with parking on the unbuilt upon portion of more than five (5) cars.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), south side, 179 feet, 5 inches east of 36th Street and 200-208 Minna Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on March 25, 1958 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in manufacturing, business and residence use, C area, class 1 height districts; Minna Street is in manufacturing and residence use, C area, class 1 height districts; Fort Hamilton Parkway is in manufacturing and business use, C area, class 1 height districts; 36th Street is in a manufacturing use, C area, class 1 height district; Chester Avenue is in business and residence use, C area, class 1 height districts; that part of the premises from the center line of the block to the building line of Fort Hamilton Parkway is within a business use district; that part of the premises from the center line of the block to the building line of Minna Street is within a residence use district; that part of the premises within 100 feet of 36th Street is within a manufacturing use district; that as of July 25, 1916 that part of the plot within 100 feet of 36th Street was in an unrestricted use district; that the present use designation for that part of the premises within 100 feet of 36th Street became effective July 21, 1955; and

WHEREAS, the decision of the Borough Superintendent,

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dated January 19, 1958 acting on Alt Applic. No. 1001-50, reads:

"1. The proposed use of manufacturing of incombustibles, loading and unloading, parking and storage of more than 5 cars, auto glass shop, mixing of lubricating oils and knitting and spinning and one family on a plot located partly within a Business Use District, partly within a Residence Use District and partly within a Manufacturing Use District is contrary to Art. II Sect. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 85 feet frontage by 202 feet 3½ inches in depth, presently developed with two buildings designated as buildings A and B; that building A is one story in height, of class III construction, with a frontage of 23 feet and a depth of 100 feet, now occupied for storage and seasoning of pickles and tomatoes; that building B is two stories in height, of class III construction, with a frontage of 25 feet and a depth of 163 feet 6 inches, now occupied as follows: cellar—storage and boiler room; first floor—auto glass shop, storage and mixing of lubricating oil; second floor—knitting and spinning, and one family; that the open area is being used for loading and unloading, parking and storage of motor vehicles; that it is proposed to change the use in building A from storage and seasoning of pickles and tomatoes to manufacturing of incombustibles, maintain the present uses in building B of cellar—storage and boiler room; first floor—knitting and spinning shop and one family dwelling; that it is further proposed to maintain the parking and storage of motor vehicles and loading and unloading in the open area; that all illegal frame extensions are to be removed; and

WHEREAS, the applicant states that building A was altered under Alt. Applic. No. 7621-1926 and the use given as stable and storage for feed; that building B was erected under N.B. Applic. No. 2212-1907 for use as stable, carriage house and one family; that Department records further show that these buildings were further altered through the years with various uses; that the last alteration was in 1950 under Alt. Applic. No. 1001-1950 and under Cal. No. 339-32-BZ, Vol. II and Cal. No. 488-50-A, and the uses changed as follows: Building A, 3511 Fort Hamilton Parkway, storage and seasoning of pickles and tomatoes; Building B, 3513 Fort Hamilton Parkway—cellar, ordinary storage; first floor—furniture storage; second floor—furniture warehouse; that no Certificate of Occupancy was issued and Applic. No. 1001-1950 is still open; and

WHEREAS, the applicant contends that the buildings in question have changed uses many times since 1907 and inasmuch as the proposed uses are in keeping with the many uses previously permitted, the adjoining properties cannot possibly be affected; and

WHEREAS, the applicant states that the present owner has held title to the property since September 25, 1951; that the assessed valuation of land is \$12,700 and of the buildings \$19,800 making a total of \$32,500; that the buildings were erected in 1907; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which found that the requirements of the resolution adopted under Vol. II have never been complied with and that there is no fence between these premises and the adjoining gasoline station on Fort Hamilton Parkway; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c, to permit the premises to be occupied as required by the resolution adopted on October 24, 1950, which has not been complied with, reading as follows:

"granted under Section 7c to permit the use of the premises, substantially as proposed and indicated on plans

filed with this application, marked 'Received February 26, 1958', 5 sheets and 'May 14, 1958', 1 sheet, on condition that there shall be erected on the interior lot lines and the rear lot line a substantial woven wire fence of the chain link type without openings therein to a height of not less than 5 feet, 6 inches, erected on a masonry base; that all shipping, delivery and receipt of merchandise shall be solely from the Fort Hamilton Parkway; that there shall be no openings from the site on Minna Street; that the building shall not be increased in height or area and all buildings proposed to be removed shall be removed and in all other respects all laws, rules and regulations shall be complied with other than as modified by the Board this day under Cal. No. 278-58-A; that the sidewalks and curbing abutting the premises on Fort Hamilton Parkway and Minna Street shall be constructed or repaired to the satisfaction of the Borough President; that there shall be no advertising on the premises within the residence use district; that all extraneous signs on the front of the building facing Fort Hamilton Parkway shall be removed and the building painted or cleaned so as to make a presentable appearance; and that all permits required shall be obtained and all work completed within six months from the date of this resolution and a new certificate of occupancy obtained.

278-58-A

APPLICANT—Lama, Proskauer and Prober, for 3515 Fort Hamilton Parkway Realty, Inc., owner.

SUBJECT—Application February 26, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3509-3517 Fort Hamilton Parkway (3511-3513 displayed), southside, 179 feet, 5 inches east of 36th Street, Block 5302, Lots 17 and 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated January 30, 1958 on Alt. Applic. 1001/50 reads:

"2. Provide 2 means of egress from 2 story building in accordance with Sect. 270 of Labor Law."

and

WHEREAS, the applicant states that the building is 1 and 2 stories, 14 feet and 24 feet in height, of class 3 construction, consisting of building A 23 feet by 100 feet in area, and building B 25 feet by 163 feet 6 inches in area at 1st floor and 25 feet by 122 feet 6 inches in area at 2nd floor, erected 1907, located on a lot 85 feet front by 202 feet 3½ inches in depth, in a manufacturing business and residence use, C area, class 1 height district, and used and occupied since 1957 as follows: Cellar—storage and boiler room; basement—seasoning of pickles and tomatoes, no persons; 1st floor—auto glass shop, storage and mixing of lubricating oil, 4 persons; 2nd floor—knitting and spinning, 20 persons and dwelling 1 family; that it is now proposed to use and occupy the premises as follows: Cellar—storage and boiler room, no persons; 1st floor—manufacturing incombustibles, 10 persons and auto glass shop, storage and mixing of lubricating oil, 4 persons; 2nd floor—knitting and spinning, 20 persons and dwelling, 1 family; that the open area of the lot to be used for loading and unloading, parking and storage of more than 5 cars; and

WHEREAS, the applicant states that the building is provided with one 3 foot wide wood interior stairs which leads direct to street and one 4 foot wide interior stairs which does not lead to street, neither stairs leads to roof bulkhead; that stair enclosure are fire retarded, equipped with fire-

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proof self-closing doors and the stairs are constructed of wood; that in addition there is one fire escape located on the side extending to open yard by stair with egress to street; that there are no windows or doors on the course of the fire escape; and

WHEREAS, Violation Number 4617 was issued December 19, 1917 for occupying the premises as a factory without a certificate of occupancy; that while fence at the rear is not closed as gates have been installed; that the fence has not been erected at the east and west sides; that the chimney has not been erected; that the cellar ceiling has not been fire retarded; that exit doors swing in; that exit signs and lights have not been provided; that cellar stairs have not been enclosed; that fire doors at 1st floor have not been provided; that stair partition has not been fire retarded; that an engineer's ladder has not been installed; that scuttle and ladder to roof not provided; that 1st and 2nd floor ceilings have not been fire retarded; that there were 33 employees at work at the time of inspection; and

WHEREAS, the applicant has filed a copy of Certificate of Occupancy 58991, December 17, 1929, for 3515 Fort Hamilton Parkway against Alt. Permit 2744/29 permitting the use and occupancy as follows: Cellar—30 horse stalls; 1st floor—24 horse stalls and office; 2nd floor—wagon room and 1 family; and

WHEREAS, copy of Certificate of Occupancy 68005 issued July 19, 1932 for premises 3509 to 3517 Fort Hamilton Parkway, permitting the following use and occupancy based on Alt. Permit 4318/32: Cellar—furniture storage—ordinary use; 1st story and 2nd story combined—furniture storage warehouse; and

WHEREAS, copy of Certificate of Occupancy 67527 issued May 26, 1932 against Altered Permit Building 3144/32 for premises 3513 to 3517 Fort Hamilton Parkway, permitting the use of the 1st story for wagon storage; and

WHEREAS, copy of Certificate of Occupancy 70890 issued March 2, 1933 against Alt. Permit No. 9417 of 1932 permitting the use of the 1st floor of 3509 to 3515 Fort Hamilton Parkway as an auto repair shop, pursuant to Resolution adopted by the Board, September 20, 1932 and October 25, 1932; and

WHEREAS, there was a conviction and fine in Municipal Term Magistrate's Court, March 25, 1957; and

WHEREAS, the applicant states that building A is 1 story in height, class 3 construction, 23 feet by 100 feet in area, and now used for storage, seasoning of pickles and tomatoes; that building B is 2 stories in height, class 3 construction, 25 feet by 163 feet 6 inches, now used as follows: Cellar—storage and boiler room; 1st floor—auto glass shop, storage and mixing of lubricating oils; 2nd floor—knitting and spinning and dwelling, 1 family; that the open area of lot is used for loading and unloading, parking and storage of motor vehicles; and

WHEREAS, the applicant states that building A was altered under Alt. Applic. 7621/26 for use as stable and storage for feed; that building B was erected under N.B. 2212/07 for use as stable, carriage house and 1 family; that these buildings were further altered through the years for various uses; that last altered under Alt. Applic. 1001/50 pursuant to variance granted by the Board under Calendar Number 339-32-BZ, Vol. II and Calendar Number 488-50-A and the uses changed as follows: Building A—3511 Fort Hamilton Parkway—storage and seasoning of pickles and tomatoes; Building B—3513 Fort Hamilton Parkway—cellar, ordinary storage; 1st floor—furniture storage; 2nd floor—furniture warehouse; that no certificate of occupancy was issued as the result of this application; and

WHEREAS, the applicant contends as to Objection No. 3 issued by the Borough Superintendent, relating to egress from Building B; that the 2nd floor is now provided with one 4 foot 4 inch wide steel stairs leading directly to the yard and thence to the streets; that as a second means of egress there is a 4 foot wide wood stair enclosed in a fire retarded partition leading to the 1st floor; that the 1st floor front is provided with a door leading to street; that the rear of the 1st floor is provided with 2 exits leading to

the yard and thence to the street; that the cellar is provided with one 4 foot wide wood stair enclosed in fireproof blocks and leading to the 1st floor and thence through the auto glass shop to the street; and

WHEREAS, the applicant contends that the uses proposed are not of a hazardous nature; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of Section 270 of the Labor Law, as cited in a decision of the Borough Superintendent dated January 30, 1958, acting on Alt. App. 1001/50, Objection No. 2, *on condition* that the appeal be and it hereby is *granted*, to permit the exits as proposed and indicated on plans filed under Cal. No. 339-32-BZ Vol. III, and that in all other respects the building and occupancy shall comply with the terms of the resolution previously adopted under Calendar Number 488-50-A.

1178-40-BZ—Vol. II

APPLICANT—Michaels and Michaels and Wigdor, for Trustees of Columbia University, owner; Jacob Goldstein, lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of term of variance, expired April 14, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f of the Zoning Resolution, permitting in a residence and business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—309 East 34th Street, north side, 100 feet east of 2nd Avenue, 300-304 East 35th Street and 634-640 2nd Avenue, southeast corner, Block 940, Lots 8, 58, 59, 60 and 61, Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard Bernstein.

For Opposition: None.

ACTION OF BOARD—Term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 0

THE RESOLUTION—

WHEREAS, on April 14, 1953, this application was granted by the Board on certain conditions, under Section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five motor vehicles, affecting premises 309 East 34th Street, north side, 100 feet east of 2nd Avenue and 300-304 East 35th Street, Block 940, Lots 8 and 58, Borough of Manhattan; and

WHEREAS, the applicant requested reopening of this application and extension of the term of variance, which had expired by time limitation April 14, 1958; and

WHEREAS, this application was reopened on June 17, 1958 and set for hearing on July 8, 1958 at 10 A. M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated July 8, 1958 acting on Alt. Applic. No. 997-48, reads:

"1. The continued use of the parking lot for the storage and parking of more than 5 motor vehicles (C.O. 44190) has expired on April 14, 1958) in a business and residence use district is contrary to PP.3, Zoning Resolution."

and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 14, 1958 by adding thereto:

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"that the term of variance may be for a term of five years from the date of this amended resolution as passed by the Borough Superintendent under Alt. Applic. No. 997-48 as disapproved July 8, 1958; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a new Certificate of Occupancy obtained within six months from the date of this amended resolution."

971-41-BZ—Vol. III

APPLICANT—Herman Kron, for Charlotte K. Mark, owner, Brooklyn Parking Corp., lessee.
SUBJECT—Application reopened July 23, 1957 as Vol. III—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the extension of the existing parking lot for the parking and storage of more than five (5) motor vehicles by the addition thereto of the adjoining lot.
PREMISES AFFECTED—32-44 Clinton Street, west side, 105 feet north of Pierrepont Street, Block 238, Lots 65 and 70, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on July 23, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Clinton Street are in a restricted retail use, B area, class 2 height district; Pierrepont Street and Clark Street are in restricted retail and residence use, B area, class 2 height districts; Monroe Place is in a residence use, B area, class 2 height district; that on May 27, 1953 the zone was changed from business to restricted retail use; and

WHEREAS, the decision of the Borough Superintendent, dated July 1, 1957 acting on Alt. Applic. 237-57, reads:

"1. Proposed increased parking area to an existing parking lot which now is located in a restricted retail use district is contrary to Art. II Sec. 14B subdiv. i of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 138.1 feet frontage by 100 feet in depth; and

WHEREAS, the applicant states that on March 5, 1951, the premises known as lot 65, 115.5 feet by 100 feet, was approved by the Building Department under Alt. Applic. No. 158-51 as a parking lot for more than five cars, for which Certificate of Occupancy No. 130474 was issued on September 19, 1951; that on or about May of 1952 the building on lot 70 was demolished when the premises was still in a business use district; that he failed to apply to the Building Department for an extension of the use to include Lot 70, and in the meantime the Building Department issued a violation for the use of the extended area without a Certificate of Occupancy; and

WHEREAS, the applicant requests that as these premises are now occupied conjunctively, that the Board approve the extension of this lot for parking and storage of more than five motor vehicles; that the owner is willing to surround the premises with such safeguards as the Board may deem necessary; and

WHEREAS, the applicant states that the present owner has held title to the property since December, 1945; that the assessed valuation of land and buildings is \$100,00; that the buildings were erected in 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h for a term of five years to permit the premises to be occupied for parking and storage of motor vehicles as proposed as an addition to the plot as permitted by the Borough Superintendent on condition that the requirements shall be complied with; that where walls of adjoining buildings do not occur there shall be a woven wire fence of the chain link type erected on the lot line not less than five feet six inches in height; that no additional curb cuts shall be installed; and that all permits shall be obtained and all work completed and a certificate of occupancy obtained within six months from the date of this resolution, as shown on plans filed with this application marked "Received July 10, 1957", three sheets and "May 9, 1958," one sheet.

410-47-BZ—Vol. II

APPLICANT—Tobias Goldstone, for Nicoletta Daechille, owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a business and residence use district, at an existing motor vehicle repair shop (wheel alignment and body and fender repairs), auto laundry and open lubrication, the installation of four gasoline tanks and four gasoline pumps on the adjoining portion acquired in 1948 and presently used for the parking of motor vehicles.

PREMISES AFFECTED—2908-2910 Nostrand Avenue, west side, 460 feet north of Avenue P, Block 7690, Lots 79 and 80, Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

For Opposition: David C. Candiotti.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on October 8, 1957 subject to regular procedure, to consider extension of premises and use; and

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; applicant to submit additional plan showing existing gate to public playground and the distance to proposed curb cut of proposed gasoline station; also to correct filed plans showing proposed conditions; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Avenue P are in business and residence use, D and E-1 area, class 1 height districts; Nostrand Avenue is in business and retail use, D area, class 1 height districts; East 29th Street is in a residence use, E-1 area, class 1 height district; Kings Highway is in residence and retail use, D and E-1 area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated September 17, 1957 acting on Alt. Applic. No. 1379-57, reads:

"1. Proposed extension of plot and addition of uses to motor vehicle repair shop, including wheel alignment, washing and lubrication (no use of a forge or anvil and no heavy collision repairing) for sales and display of more than 5 new and used cars, parking and

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storage of more than 5 motor vehicles (40 ft. x 105 ft.) and gasoline service station in a partly Residence and partly Business Zone is contrary to Art. II, PP. 3 and PP. 4a, subsections 29 and 46 of the Zoning Resolution and contrary to the Bd. of Standards and Appeals variance under Cal. 410-47-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 80 feet frontage by 110 feet in depth; that it is proposed to install gasoline selling facilities on the portion of the lot now used for the sales and display of more than five new and used cars and parking and storage of more than five motor vehicles, which occupancy was approved under Alt. No. 3192-48, for which Certificate of Occupancy No. 130631 was issued; and

WHEREAS, the applicant states that this portion of the lot was acquired July 22, 1947 by the same owner of 2908 Nostrand Avenue, on which portion of lot the Board approved the use of auto repair, wheel alignment, auto laundry and lubritorium; that these premises face a 100 foot wide street and directly adjoining the present repair shop to the north, the Board granted under Cal. No. 313-51-BZ, the use of these premises for a lumber yard and cabinet manufactory; and

WHEREAS, the applicant contends that diagonally opposite these premises there now exists a one story auto laundry; that relative to the present playground, the entrance to which is approximately 350 feet north of the proposed site, the area of said playground is approximately .0704 per cent, more than one half acre; that there are no gasoline selling stations on the westerly side of Nostrand Avenue for at least seven blocks north or south of the proposed site; that the nearest gas station on the easterly side of Nostrand Avenue is about 800 feet north of this site and is located on the northeast corner of Nostrand Avenue and Kings Highway, and these are both main thoroughfares and are heavily travelled; and

WHEREAS, the applicant states that the present owner has held title to the property since March 20, 1940 and July 22, 1947; that the assessed valuation of land is \$8,000 and of the building \$7,000 making a total of \$15,000; that the building was erected in 1922 and 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 1379/57, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

623-49-BZ—Vol. II

APPLICANT—Theron R. Galloway, for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 9A of the Zoning Resolution, to permit in a one and one-half height district, the erection of two additional generating units with twin stacks and transmission towers having a height in excess of that permitted within two (2) miles of a designated air port.

PREMISES AFFECTED—East River, 800 feet north of 20th Avenue; 19-39 20th Avenue, Block 850, Lots 1 and 2, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: T. R. Galloway and R. M. Klingcl.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 21, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for decision; hearing closed; applicant to give further information as to air-pollution control of stacks for generating units; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East River Pierhead Line, 20th Avenue and Lyster Creek Pierhead Line are in an unrestricted use, A area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1958 acting on Alt. Applic. No. 2186-57, reads:

"1. The height of the proposed stacks and the proposed extension for boilers No. 50 and No. 60 exceeds the allowable permitted height as per Article III Section 9A of the Zoning Resolution.

2. The height of the proposed generator towers on the roof of the proposed extension to the present electric generating station exceeds the allowable permitted height as per Article III Section 9A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 3,950 feet frontage by 3,675 feet in depth; that it is proposed to construct two future extensions known as Units 5 and 6, Boilers 50 and 60, to the Astoria Generating Station, including miscellaneous appurtenant structures and a pair of twin chimneys for each of the two sections; that the general roof level in the boiler house section, which is the highest section of each unit will be 175 feet above ground and the four stacks will have a height of 300 feet above ground level; that it is also proposed to erect eighteen transmission line towers above the roof of the generating station to heights of 138 feet and 235 feet above ground level and two towers on the ground to a heights of 160 feet; that of the eighteen towers on the roof, it is proposed to build six above a section of the generating station known as Unit 4, for which approval was previously granted under Resolution adopted on September 12, 1950 under Cal. No. 623-49-BZ, Vol. I; that construction of Unit 4 will start this Fall; and

WHEREAS, the applicant states that the Astoria Generating Station is located in an unrestricted use district, A area and 1½ class height district; that no question has been raised about the use of the land or area occupied; that in a class 1½ height district, structures built on a large area and set back from the street as are the proposed extensions, stacks and towers, may be considered to front on a 100 foot wide street and are therefore limited to 125 feet in heights; that within two miles of an airport, Section 9A, Article III of the Zoning Resolution does not permit the exceptions or privileges extended in Sections 8 and 9 as to setbacks and heights for special structures; that as the proposed towers, stacks and extensions to the station are within two miles from LaGuardia Airport, the Building Department objected to the construction of the four stacks—two twin stacks—the twenty transmission line towers and the two extensions for Units 5 and 6, for which the top elevation is more than 125 feet above ground level; and

WHEREAS, the applicant states that as the only reason for this height restriction in the Zoning Resolution is to provide for flying safety, approval was obtained from the Civil Aeronautics Administration; that as this agency, which is responsible for flying safety, has no objections, it is felt that the New York City departments should remove their objections; that similar objections were raised by the Department of Marine and Aviation when drawings were filed in August 1949 for the construction of the generating station at this location, to the construction of the buildings to a height of 175 feet above ground level and six stacks to a height of 300 feet above ground level; that after obtaining approval for the buildings and stacks from the Civil Aeronautics Administration, an appeal under Cal. No. 623-49-BZ was

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made to the Board for a variance from Section 9A, Article III of the Zoning Resolution; that the building and stack installation was approved on January 24, 1950 and approval was later amended under Resolution adopted on September 12, 1950; that two units of the building and two stacks are now installed and operating, while a third unit of the station and the third and fourth stacks are now under construction; that a fourth unit with the fifth and sixth stacks has been authorized and construction drawings are underway; and

WHEREAS, the applicant further states that the generating station as proposed will consist of six units as was approved by the Board in 1950, although the building will now be approximately 300 feet longer than was originally proposed; that this change is due to an increase in size of each generating unit which has become necessary to take care of the system load requirements; that because of this increase in size of units, it has become necessary to place two stacks on each of the later units in order to satisfactorily diffuse the gases which will be discharged; that there will therefore be five pairs of stacks on the finished station instead of the six stacks originally contemplated; that the tops of the additional stacks will be at the same elevation as the tops of the stacks approved by the Board at 300 feet above ground level; that the tops of the proposed transmission line towers are 55 feet or more below the tops of the chimneys and should not introduce any additional flying hazard; that this is corroborated by the Civil Aeronautics Administration's approval for the towers which has been granted after more than four years experience in flying over the completed chimneys; that the four added stacks and towers will be built at the end of the station farthest from Winthrop or 20th Avenue, the only street on which the Company property fronts; that when completed this generating station will have cost about \$300,000,000 and will have a capacity in excess of 1,500,000 k.w.; that it is expected that it will carry about 25% of the load of New York City; that it is so located that it can supply the high voltage tie transmission system which inter-connects the generating stations supplying all of the City and forms an important link in that system; that an alternate location for the additional capacity required has been eliminated for two reasons; that waterfront property is absolutely necessary for fuel deliveries and for condensing water supply; that such a plot of adequate size properly zoned and with buffer areas between it and residential areas is almost impossible to obtain; that in addition an expenditure of many millions of dollars would be required to extend the tie transmission system; that this property has been owned by the Company since 1899 and the unused parts have been held for future development when, as events have proved, suitable property would become scarce; that it is therefore of utmost importance that the proposed increase in capacity, together with the building extension and stacks, be made at this location; that the proposed towers will carry the electrical connections between the generators and the two electrical switch yards which are connections to the transmission system; that after careful consideration of the multitude of gas mains laid in the ground around the plant, of the cost of installation, of the cost and ease of maintaining the connections and making repairs, of the safety factors involved and of the probabilities of interruption of service to the City, it has been concluded that the installation of the proposed overhead generator connections involving the proposed towers is the only possible way of making the installation; and

WHEREAS, the applicant states that the present owner has held title to the property since January 21, 1899 and that the assessed valuation of land is \$162,000; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 9A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use dis-

trict regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 9A, to permit the construction and maintenance of the proposed structures and chimneys within the prohibited distance of the LaGuardia Airport, as indicated on plans filed with this application, marked "Received May 1, 1958" 6 sheets and "Received May 22, 1958", 2 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

811-51-BZ—Vol. II

APPLICANT—Nathaniel C. Saxe, for Wides Motor Sales Corp., owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a one-story building for use as a motor vehicle repair shop (hand tools only) to be used in conjunction with the existing automobile showroom with parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises.

PREMISES AFFECTED—14-06 to 14-16 Beach Channel Drive and 21-32 to 21-42 Nameoke Avenue, northeast corner, Block 8, Lot 1, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Nathaniel C. Saxe.

For Opposition: C. J. Cammarata for N.Y.C. Housing Authority, Daniel J. Forbes, Thomas Coswell, Mrs. A. E. Forbes and Cora H. Walton.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on July 23, 1957 subject to regular procedure, to consider extension of uses; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Beach Channel Drive, Nameoke Avenue and Hassock Street are in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 18, 1957 acting on Alt. Applic. No. 247-57, reads:

"1. Proposed extension of a non-conforming use and the proposed change in use from boiler room and storage, auto sales, minor servicing and offices, to boiler room and storage, auto show room, office, minor motor vehicle repairs, sales and display of used cars, parking and storage of more than five (5) motor vehicles on a lot in a residence use district is contrary to Art. 2, Sec. 3 of the Z.R. and contrary to the resolution of the Board under Cal. #811-51-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 185 feet frontage by 125 feet in depth; that it is proposed to construct a one story building 75 feet by 118 feet 4 inches, to be used in conjunction with and accessory to the present automobile showroom; that it is proposed to use this building for minor motor vehicles repairs and preparation of new cars for delivery; and

WHEREAS, the applicant states that a variance was granted by the Board on May 12, 1953; that since the granting of this variance the owner has purchased additional land so that the available lot is now 125 feet by 185 feet; and

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WHEREAS, the applicant contends that due to the high labor cost and problems of servicing, the owner desires to consolidate his operations, so that the front elevation will be architecturally pleasing and in conformity with the present building; and

WHEREAS, the applicant states that the present owner has held title to the property since October 5, 1951; that the assessed valuation of land is \$10,000 and of the building \$60,000 making a total of \$70,000; that the building was erected in 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 12, 1953 by adding thereto:

"that in the event the owner desires to construct an additional building on premises adjoining the premises as originally submitted and as shown on plans marked, "Received June 21, 1957," 1 sheet and "May 23, 1958," six sheets; such extension for the purposes as proposed may be permitted under Section 7e for a term of twenty-five years *on condition* that the building shall not be further increased in height or area and shall comply in all respects with the requirements of the Building Code and the Zoning Resolution; that the area proposed to be used for parking toward the east may be permitted under Section 7h for a similar term and shall be leveled substantially to the grade of Nameoke Avenue and shall be surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines, except where the proposed building occurs, a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches with no openings thereon except one which shall be fitted with gates to Nameoke Avenue and with curb cuts opposite not over 12 feet in width; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

247-54-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for David and Theodore Ain, Susie and Mario Marani and Theodore Kent Ain, owners.

SUBJECT—Application reopened March 4, 1958, as Vol. II—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the extension of the use of the existing gasoline service station located on the local retail portion of the premises by using the vacant portion in the residence use district for the parking and storage of more than five (5) motor vehicles for a term of years to coincide with the term of the variance granting the gasoline service station.

PREMISES AFFECTED—75-01 to 75-09 (75-05 official Parsons Boulevard) and 158-02 to 158-20 75th Avenue, southeast corner, Block 6823, Lot 1, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Russell W. Ashton and Perry P. Jones.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5
..... 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 4, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 75th Avenue and 75th Road

are in local retail and residence use, D and E-1 area, class 1 height districts; Parsons Boulevard is in a local retail use, D area, class 1 height district; 160th Street is in a residence use, E-1 area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 8, 1957 acting on Alt. Applic. No. 2228-57, reads:

"1. Proposed extension of the use of an existing gasoline service station, lubritorium, minor auto repairs, (limited to hand tools only) office, sales, storage, car washing and parking and storage of motor vehicles on a lot located in a local retail use district and extending into a residence use district so as to include the parking and storage of motor vehicles on the residence use portion of the lot is contrary to Art. 2 Section 4-C and Section 3 of the Zoning Resolution and the resolution of the Board under Cal. No. 247/54/BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 104.90 feet frontage by 203.50 feet in depth; that the part of the site within the local retail district is developed with a gasoline service station consisting of ten buried 550 gallons gasoline storage tanks and four dispensing pumps; that the present accessory building has a frontage of 66 feet, depth of 28 feet 8 inches, one story in height, of class III construction, and contains the conjunctive uses of office, sales, storage, car wash, lubritorium, minor auto repairs limited to hand tools only; that part of the gas station area is being used for parking and storage of motor vehicles; that the gas station was erected under N.B. Applic. No. 428-54 and under a variance of the Board under Cal. 247-54-BZ and Cal. No. 248-54-A; that the variance was granted for the period of fifteen years to expire December 7, 1969; that Certificate of Occupancy No. Q107528 was issued January 30, 1956 for the above mentioned uses; and

WHEREAS, the applicant states that part of the premises within the residence zone, having a frontage of approximately 101.75 feet and a depth of 105.06 feet and facing on 75th Avenue, is presently vacant; that this application forms the basis of the appeal requesting a variance to terminate December 7, 1969, to use this present vacant area for parking and storage of motor vehicles; that the only entrance to the newly proposed parking area will be through the present gas station by way of an opening 20 feet wide to be cut in the present five foot high woven wire fence separating the present gas station and the now vacant area under appeal; and

WHEREAS, the applicant contends that as there are to be no additional curb cuts on 75th Avenue, the residential aspect of said 75th Avenue will be fully maintained; that the rear of the site adjoining lots 95, 96, 97, 98, 99 and 100 is developed with residences and private garages erected directly on the rear lot lines and directly adjoining the site, so that these premises cannot possibly be affected by the proposal; that since the erection of the gas station and the variance granting said use on December 7, 1954, the entire area has further developed as a shopping center, with the attendant parking on the residential streets adjoining Parsons Boulevard; that the present parking in 75th Avenue certainly is more of a nuisance to the residents of said street than the proposed parking, and said parking lot will tend to remove the street parking, thereby benefiting the entire area; that the large recent apartment house construction within the affected area has also created a need for the proposed parking facilities; and

WHEREAS, the applicant states that the present owners have held title to the property since March 8, 1955; that the assessed valuation of land is \$29,000 and of the building \$21,000 making a total of \$50,000; that the building was erected in 1956; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 7, 1954, under Vol. I by adding thereto:

"that in the event the owner desires to occupy the rear portion of the lot toward the east for parking of cars,

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such use may be permitted under the management of the gasoline service station substantially as proposed and as indicated on plans filed with this application marked 'Received February 4, 1958,' 4 sheets, *on condition* that all uses now on this portion of the premises shall be removed and the premises shall be graded substantially to the grade of the abutting street and shall be arranged and constructed as indicated on such plans; that the premises shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on the new mapped building line of 75th Street, where proposed to be located, a woven wire fence of the chain link type not less than five feet six inches in height with suitable terminating posts; that along the rear to the east five feet from the rear lot line there shall be erected a similar fence which shall have split saplings attached thereto with the face side of the saplings toward the adjoining premises; that a similar fence shall be erected on the interior lot line to the north; that no additional curb cuts shall be installed; that the entrance and exit to the parking lot shall be solely through the gas station; that suitable bumpers shall be located at proper distance from the side lot lines and rear fences for protection thereof; that a planting area shall be maintained against such walls for a width of not less than five feet and protected with concrete curbing not less than eight inches in height; that there shall be no additional signs erected but there may be a sign attached to the accessory building of the gas station to the effect that the premises to the rear may be occupied for parking and storage of pleasure cars only on the rates charged and such other information as may be required by the Commissioner of Licenses; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

38-55-BZ—Vol. II

APPLICANT—Paul Friedman, for Stellar Fuel Sales Corp., owner; Bertell's Service, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit for a term of years expiring July 12, 1970, the erection wholly within the business use district portion of the plot, which is partly in a business use district and partly in a residence use district, a proposed extension to an existing accessory building to be used for storage of automobile accessories and supplies, in connection with the existing gasoline service station, lubritorium, non automatic auto laundry, motor vehicle testing, light repairs with hand tools within the building, and parking and storage of more than five (5) motor vehicles granted by the Board under Calendar No. 38-55-BZ.

PREMISES AFFECTED—534-544 Coney Island Avenue, southwest corner of Hinckley Place, Block 5343, Lot 13, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Bertha I. Starke and Lucy Conforti.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 22, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hinckley Place and Beverly Road are in business and residence use, C area, class 1

height districts; Coney Island Avenue is in a business use, C area, class 1 height district; East 8th Street is in a residence use, C area, class 1 height district; that the small interior, triangular remainder of the property is in a residence use, C area, class 1 height district; that the small, premises is in a C area district; that these designations have not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated February 21, 1958 acting on amendment to Alt. Applic. No. 1814-57, reads:

"1. Proposed extension to accessory building and addition to the use for storage of auto accessories and auto supplies to a gasoline service station, lubritorium (non-automatic), auto washing, motor vehicle testing, light repairs with hand tools only within the building, and parking and storage of more than 5 motor vehicles on a lot which is partly in a Business zone and partly in a Residence zone is contrary to Art. II, PP. 3 and PP. 4a, subsections 29 and 46 of the Zoning Resolution and contrary to the Bd. of Standards and Appeals approval under Cal. No. 38-55-BZ and as amended Sept. 10, 1957."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet 3 inches frontage by 97 feet 10 $\frac{7}{8}$ inches in depth, irregular, on which is constructed a gasoline service station, lubritorium, non-automatic auto washing, motor vehicle testing and light repairs with hand tools only within the building, for which Certificate of Occupancy No. 156311 was issued, to expire July 12, 1970, in accordance with the Resolution adopted by the Board on July 12, 1955 under Cal. No. 38-55-BZ; that on September 10, 1957 the Board amended the Resolution heretofore adopted so as to permit the parking and storage of motor vehicles on portions of the plot unbuilt upon that will not interfere with the servicing of the station, for a similar term; that it is proposed to construct, wholly within the business use district portion of the premises, a one story extension to the rear of the accessory building, said extension to be used for storage of automobile accessories and supplies for a similar term expiring July 12, 1970; that said extension would be 50 feet wide and would vary from 9 feet to 12 feet in depth, so as to be confined to the business use district portion of the plot at the rear of the existing accessory building; and

WHEREAS, the applicant states that on December 12, 1955, the decision of the Board was sustained in certiorari proceedings instituted by the owner of the gasoline station on the opposite corner in Block 5342, Lots 22 and 23; (In re Cipis, New York Law Journal, December 12, 1955, page 12; Supreme Court, Kings County, Special Term, Part I, Mr. Justice Arkwright); and

WHEREAS, the applicant contends that the proposed extension to the accessory building will be in the rear thereof and on the same lot that was heretofore acted upon by the Board; that it will be invisible from Coney Island Avenue; that it will be visible from Hinckley Place and will be in harmony with the design of the existing accessory building; that the impact of the proposed extension is practically limited to the property adjoining on the west in block 5343, lot 11, which is owned by the owner of the subject premises; that the proposed use of the extension to the accessory building—storage of automobile accessories and supplies—will permit the more efficient operation of the premises without adversely affecting anyone; that the original application was consented to by approximately two thirds of the owners of the properties within the area deemed by the Board to be affected—40 out of a possible 57; that the only objector was the owner of the gas station on the opposite corner in block 5342, lots 22 and 23 and certiorari proceedings instituted by that owner were dismissed on the merits; and

WHEREAS, the applicant states that the present owner has held title to the property since July 13, 1954; that the assessed valuation of land is \$32,000 and of the building \$18,000 making a total of \$50,000; that the building was erected August 29, 1956; and

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WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 12, 1955 as thereafter amended by resolution adopted through September 7, 1957 by adding thereto:

"that in the event the owner desires to construct an extension to the accessory building as proposed and as indicated on plans filed with this request for amendment marked "Received December 23, 1957", 2 sheets, "March 21, 1958", one sheet, "March 28, 1958", one sheet, and "May 29, 1958", 4 sheets, such extension may be permitted provided the requirements of the resolution shall be maintained in all other respects; that at the rear of such proposed extension the planting space shall be maintained with shrubbery of a height that will extend above the five feet six inches high masonry fence wall; that the use of such extension shall be as proposed for storage of auto accessories and supplies; that there shall be no openings in such wall to the west and south and the opening in the wall to the north shall be filled with glass block approved for exterior wall; that a new opening may be constructed from the existing gas station accessory building, where shown, into such space; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

312-57-BZ

APPLICANT—Louis Lieberman, for F. and R. Realty Corp., owner.

SUBJECT—Application April 17, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the continuance of an existing illuminating business sign, two (2) feet high and forty (40) feet wide on the existing two-story structure.

PREMISES AFFECTED—94-00 Ditmars Boulevard, 22-01 to 22-73 94th Street, southeast corner, 22-02 to 22-50 and 22-62 to 22-70 95th Street and 94-01 to 94-21 23rd Avenue, Block 1071, Lots 1, 25, 27, 29, 31 and 37, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons and Gershon Goodman.
For Opposition: Samuel Bodian, Park Dep't. and George C. Havis.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 3
Negative: Chairman Murdock and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958 for inspection and decision, hearing closed; then to July 15, 1958, for further inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, E area, class $\frac{1}{2}$ and class $\frac{3}{4}$ height districts; Ditmars Boulevard is in a residence use, E area, class $\frac{1}{2}$ height district; 23rd Avenue is in a residence use, E area, class $\frac{3}{4}$ height district; 94th Street and 95th Street are in a residence use, E area, class $\frac{1}{2}$ and class $\frac{3}{4}$ height district; that there have been numerous changes in the use, height and area since 1916, all of which are enumerated in the enclosed letter from the City Planning Commission, until the last change to residence, E, $\frac{1}{2}$ and $\frac{3}{4}$, which became effective on July 21, 1955; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1957 acting on B.N. Applic. No. 105-57, reads:

"1. The erection of a business sign in a residence use district is contrary to Art. II Sec. 3(f)."

and
WHEREAS, the applicant states that the premises consist of

a plot, 77.37 feet frontage by 700 feet in depth, on which is located a two story, non fireproof building, used as follows: first floor—hotel-bar and grill in conjunction with hotel; second floor—hotel; and

WHEREAS, the applicant states that after the building was erected, it was found that no arrangement had been provided for a sign and the owner entered into contract for the erection of the present illuminated roof sign which is 2 feet high by 40 feet wide and located 10 feet above the roof of the building, with the understanding that the sign manufacturer would obtain all necessary permits; that said sign was erected and paid for before it was determined that no application had been filed for approval and permits, and it is now desired to legalize said sign; and

WHEREAS, the applicant contends that the sign faces La Guardia Airport which has numerous illuminated signs; that the removal of the sign, considering its original cost, would impose a financial hardship on the owner; that the use of the sign as it now exists is not detrimental to the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since June, 1955; that the assessed valuation of land is \$165,200 and of the building \$425,000 making a total of \$590,200; that the building was erected in 1956; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board on two occasions and the Board has noted the present roof sign facing on Ditmars Boulevard, and recommends that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit the existing non-flashing electric sign to be continued on the roof of the building, as indicated on plans filed with this application, marked "Received April 17, 1957", 1 sheet and "May 8, 1958", 2 sheets, *on condition* that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

870-57-BZ

APPLICANT—Jerome W. Perlstein, for Jack Perlow, owner.

SUBJECT—Application November 21, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the erection of a one-story extension to an existing two-story, one family dwelling to be used in conjunction with the dental office on the first floor, the proposed extension to encroach on the required rear yard.

PREMISES AFFECTED—75-85 182nd Street and 182-01 Union Turnpike, northeast corner, Block 7199, Lot 48, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Jerome Perlstein.
For Opposition: None.

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Union Turnpike, 182nd Street, 183rd Street and 75th Avenue are in a residence use, G-1 area, class 1 height district; that as of July 25, 1916 the

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property was zoned as a business district and a D area district; that the present residence district designation became effective on July 24, 1947 and the present G-1 area designation became effective on February 7, 1949; that the height designation has not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated November 13, 1957 acting on Alt. Applic. No. 2151-57, reads:

"1. Proposed 1 story frame extension in a G-1 area district to be built in the required 20'-0" rear yard and to be joined to the present 1 car frame garage, which is to be used in conjunction with proposed new extension and present dentist's office, is contrary to Article IV Section 16c of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50.60 feet frontage by 100.48 feet in depth, irregular, presently improved with a frame and brick veneer two story residence and a one story extension, all occupied as a one family dwelling and dentist's office under Alt. Applic. No. 184-55; that there is also a detached frame and brick veneer, one car accessory garage at the rear along the Union Turnpike frontage; that it is proposed to join the existing one car garage to the existing one story extension at the rear, and by so doing provide additional office space by discontinuing the garage use and substituting therefor the required dentist's laboratory, dentist's private office and storage space; that this alteration will also provide room for a sorely needed additional operating chair, allowing the doctor a more feasible manner in which to handle his patients, and will also provide proper facilities for an X-Ray room; that the actual dimensions of the new extension, not including the existing one car garage, are 6 feet 10 inches by 19 feet, amounting to an added area of occupied space of less than 133 square feet; that the outward appearance of the existing one car garage will remain the same; and

WHEREAS, the applicant states that the owner-dentist restricts his practice to orthodontia; that the practice of orthodontia requires a great deal of continuous adjustment in this teeth straightening process, including the measuring of braces and taking of impressions of tooth structure; that as such, the patient must spend a great amount of time in the operating chair waiting for molds to set as well as waiting for brace adjustment at various intervals during the same visit; that due to these requirements the orthodontist must have his office so arranged as to be able to accommodate several patients simultaneously in order to allow for the time to lapse between adjustments as well as to allow impressions to set; and

WHEREAS, the applicant contends that this proposed alteration on this corner plot will in no way adversely affect adjoining property owners; that the small proposed extension will be of a design similar to that of the existing structure, blending into the existing architecture; that the proposed extension is sorely needed in order to provide proper dentist facilities as required for the practice of orthodontia, and by so doing will allow the owner to practice his profession on the premises with greater ease both to himself and his patients; and

WHEREAS, the applicant states that the present owner has held title to the property since January 1, 1955; that the assessed valuation of land is \$3,800 and of the building \$10,500 making a total of \$14,300; that the building was erected in 1938; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent,

acting on Alt. Applic. No. 2151/57, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

1004-57-BZ

APPLICANT—Henry J. Nurick, for Mrs. Palma Campbell, owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one-story building from cooperage and barrel factory to a motor vehicle repair shop for body and fender repairs.

PREMISES AFFECTED—434-440 Manhattan Avenue, southeast corner of Bayard Street, Block 2724, Lot 7, Borough of Brooklyn.

APPEARANCES—

For Applicant: H. J. Nurick.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Bayard Street, Manhattan Avenue, Graham Avenue and Brooklyn-Queens Expressway are in a business use, C area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 11, 1957 acting on Alt. Applic. No. 2324-57, reads:

"1. In a business use district the proposed motor vehicle (body and fender repairs) shop is contrary to Art. II sec. 4(a) subdiv. 29 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 3 feet 8 inches and 30 feet frontage by 103 feet 5 inches in depth; that Certificate of Occupancy No. 70977 was issued for the use of these premises as a cooperage and barrel factory; that it is proposed to change the use of the premises to body and fender repair work on motor vehicles; and

WHEREAS, the applicant states that there will be no more than three men employed on the premises, which are very small in area; that furthermore, the premises has always been used for manufacturing purposes; that while the neighborhood is zoned for business use, it is actually a manufacturing district and occupied mostly by factories and warehouses; that on the east side of Manhattan Avenue, looking south, there is a yard, store and dwelling, and a driveway for the storage of cars, up to Meeker Avenue; that on the west side are two brick factories, garages and dwellings; that looking north, on the east side of Manhattan Avenue there is a parking lot, factories and warehouses, up to and continuing beyond Eckford Street, and on the west side there are parking lots and factories; that on Bayard Street, on the north side looking west, there is a parking lot on Leonard Street and a lumber yard beyond; that looking east on the south side of Bayard Street there is a parking lot, warehouses, dwellings and factories, and looking west on the south side, there is a two story factory and lumber yards; and

WHEREAS, the applicant contends that the premises are very small in area and cannot actually be used for any other purposes; and

WHEREAS, the applicant states that the present owner has held title to the property since 1927; that the assessed valuation of land is \$5,000 and of the building \$4,000 making a total of \$9,000; that the building was erected in 1933; and

WHEREAS, the premises and surrounding area were in-

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spected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7i for a term of two years to permit the premises to be occupied by motor vehicle repair shop, body and fender repairs and general repairs as proposed and as indicated on plans filed with this application marked "Received December 30, 1957", 4 sheets, *on condition* that the building shall not be increased in height or area and shall have no connection with any additional building and in all other respects shall comply with all requirements of the Building Code and the Zoning Resolution; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require; that the premises shall be cleaned out of all junk and useless material and kept in an orderly condition at all times; and that all permits shall be obtained and all work completed and a certificate of occupancy obtained within six months from the date of this resolution.

1007-57-BZ

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein Department Store, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "C" area district, the one-story extension of a retail department store occupying more than the permitted area coverage.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Samuel Gardstein.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 13th Avenue and 14th Avenue are in a business use, C area, class 1 height district; 40th Street and 41st Street are in business and residence use, C area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated December 19, 1957 acting on Alt. Applic. No. 3919-57, reads:

"1. Proposed extension of the existing building within the "C" area district exceeds the permitted area and is contrary to Art. IV Sec 13(b) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet, 40 feet and 19 feet 10 inches frontage by 100 feet 2 inches, 100 feet 2 inches and 80 feet 1½ inches in depth, irregular in area, on which is located several buildings used conjunctively as a retail department store, and a three story, three-family multiple dwelling; that it is proposed to demolish the three family multiple dwelling fronting on 41st Street and erect a one story extension to the retail department store, 19 feet 10½ inches by 100 feet 2½

inches in area, occupying more than the permitted area; and

WHEREAS, the applicant states that the site consists of two tax lots, 4 and 73, combined and reapportioned into one tax lot known as lot No. 4; that the existing department store building is located on former lot 73 which has an area of 7212.08 square feet and was altered prior to 1944, when the area percentage limitations first became effective, so that it occupied 100% of the area on the first floor; that the area of former lot 73 is 1991.02 square feet; the existing building occupies 1245 square feet; the vacant area is 746.02 square feet; the permitted additional coverage, based upon 75% of the vacant area, is 561.5 square feet; that the proposed extension is 184.5 square feet in excess of the permitted coverage; and

WHEREAS, the applicant further states that this application is made under Section 21 of the Zoning Resolution, which is the only Section providing a basis for a variance; that the department store use was established in 1933 under Certificate of Occupancy No. 72415 issued November 21, 1933; that Rothstein's Department Store has been the focus of development in the 13th Avenue neighborhood and has been the principal reason for making this area one of the busiest and best developed retail areas in the Borough; that the reputation and good will established by the store over a period of 24 years at this location, makes it economically impractical to move to a new location; that the tax block is completely developed at these intersections and all the property fronting on 13th Avenue, the business street, is improved with buildings occupying 100% of the area; that there is no other vacant land available for development as proposed; and

WHEREAS, the applicant contends that the proposed extension is only approximately 185 square feet in excess of the permitted coverage; that in view of the fact that the total area of the plot is approximately 9200 square feet, the proposed extension is about 2% in excess; that a grant of the variance permitting this small excess area will not adversely affect any of the surrounding property owners, and will not deprive any light, air or ventilation; and

WHEREAS, the applicant further contends that the existing building is three stories in height, whereas the proposed building is only one story in height; that the existing floor area of the building to be demolished is 3521 square feet, whereas the proposed building will be 1991.02 square feet in area; that the decrease in height will benefit adjoining properties by providing more light, air and ventilation; that if the owner had owned these premises prior to 1944 then it could have been developed as proposed, without a variance; that the owner could presently erect a two or three story building with a much greater floor area than proposed herein, without a variance; that however, the retail store use makes a two story extension economically impractical and would create a hardship; that the premises are entirely in a business zone, so that the retail store use is not an issue of this application; that nevertheless, there are no show windows proposed on 41st Street and no business signs are proposed on 41st Street; that the only openings proposed are for required exit facilities; that there is no off street loading or unloading proposed on 41st Street; and

WHEREAS, the applicant states that the present owner has held title to the property since April 5, 1932 and November 9, 1949; that the assessed valuation of land is \$47,500 and of the buildings, \$77,500 making a total of \$125,000; that the buildings were erected in 1906; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition to permit the additional Lot No. 79 to be reconstructed and added to the existing department store; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does

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hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the extension of area as to the proposed one-story building to be constructed in place of the existing building on Lot No. 73 *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such building shall be constructed and maintained as an addition to the department store as proposed and as indicated on plans filed with this application marked "Received December 19, 1957", 14 sheets; other than as modified by the Board this day under Cal. No. 1008-57-A; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

1008-57-A

APPLICANT—Leonard F. Rothkrug, S. Gardstein and Son, for Jenro Realty Corp., doing business as Rothstein's Department Store, owner.

SUBJECT—Application December 19, 1957—Appeal from a decision of the Borough Superintendent, re stairs to be enclosed, continuous and lead from street to roof, etc.

PREMISES AFFECTED—4013-4015 13th Avenue, east side, 60 feet, 2½ inches north of 41st Street, 1313 41st Street and 1306-1308 40th Street, Block 5297, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Samuel Gardstein.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5
0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated December 19, 1957 on Alt. Applic. 3919/57 reads:

"2. Stairway to 13th Ave. should be enclosed in one hour fire retarded partitions as per Sec. 6.4.1.8.1 of Building Code.

"3. The stairway to 13th Ave. should be in a continuous one hour enclosure from street to roof as per Sec. 6.4.1.11 of Building Code.

"4. The stairway leading to 40th Street should be 3 feet 8 inches wide as per 6.4.1.1 of Building Code."

and

WHEREAS, the applicant states that the building is 1, 2, 3 and 3 stories; 13 feet 8 inches, 25 feet, 34 feet and 34 feet in height, 40 feet, 40 feet and 19 feet 10 inches front by 80 feet 1½ inch, 100 feet 2 inches and 100 feet 2 inches in depth respectively, of class 3 construction at 1st floor, 52 feet, 95 feet and 69 feet in depth respectively at typical floor, erected 1906, located in a business use, C area; class 1 height district, and used and occupied since 1953 as follows: No. 4013 13th Avenue: Cellar—store, 175 persons; 1st floor—store, 200 persons; 2nd floor—storage, 2 persons; 3rd floor—storage, 2 persons; No. 1313 41st Street: Cellar and 3 story multiple dwelling now vacant; No. 1306 to 1308 40th Street: Cellar—storage and store; 1st floor—store and truck berth; 2nd floor—store and office, total occupancy 50 persons in conjunction with other buildings involved; that it is proposed to extend the 2nd floor to 80 feet 1½ inches and 100 feet 2 inches in depth; that to demolish the multiple 3 story dwelling and erect an extension 19 feet 10½ inches by 100 feet 2 inches in area, one story and cellar, 13 feet high, of class 3 construction, and permit the conjunctive use of the 2nd story extension of the existing 3 story building for sales; and

WHEREAS, the applicant states that the building is provided with one source sprinkler system throughout, one interior stairway 3 feet 7 inch wide at the 13th Avenue front and one interior stairway leading to 40th Street which stairway is 3 foot wide, both stairs are wood, enclosed at 1st floor with one hour partitions; and

WHEREAS, the premises consists of a 3 story multiple dwelling, supposed to be demolished and 2 and 3 story building used and occupied since completion of work under Alt. Applic. 2108/51 and in accordance with Resolution adopted by the Board under Calendar Number 568/52/A for store and storage purposes, for a limited term of 5 years in accordance with the Board's Resolution; and

WHEREAS, the applicant states that it is now proposed to demolish the 3 story multiple dwelling and erect an extension on the rear 19 feet 10½ inches by 100 feet 2 inches in area, one story and cellar, 13 feet in height, of class 3 construction, and to extend the 2nd story of the 3 story building to permit conjunctive sales use with second story of the existing 2 story building; and

WHEREAS, the applicant states that it is not proposed to alter this 3rd story stock room use as previously permitted by the Board; that the 3rd story is provided with a 3 foot 7 inch stairway down to the 1st floor, protected by a one hour enclosure; that a ladder and scuttle to roof is proposed from this 3rd story to the roof where access can be had to the adjoining 3 story building to the south; that at the 2nd and 3rd stories the stairway is protected by fire-proof self-closing doors; that it is proposed to enlarge this stairway from 3 feet 7 inches to 5 feet 6 inches from 2nd to the 1st story and to extend it from 14 feet back of the street at the 1st floor to 3 feet 6 inches to exit doors; and

WHEREAS, the applicant contends that the department store has developed considerably since it was first established in 1935; that as a result 13th Avenue has become a main retail shopping area; that if the stair from the 3rd story was required to lead directly to the street the owner would not be able to make the alteration because of the hardship involved in the loss of any of the existing 40 feet frontage; that the extension of such stair direct to the street would make the store difficult to supervise; that egress to the street will only be 3 feet 6 inches from the entrance door; that the entire building is sprinklered throughout and the new cellar and one story extension will be sprinklered; that exits from the 2nd stories will be improved; that the 2nd story now has one exit to 40th Street from the 2 story building sales area and an open 5 foot stair to the 1st floor mezzanine; that by combining the 2 second floors and omitting the 5 foot open stair both egress facilities and safety is improved; that this small area is approximately 5000 square feet, will be provided with access to 2 streets; that the demolition of the 3 story multiple dwelling and the erection of a new extension will provide the entire 1st floor area with access to 3 streets; that the building will be under trained supervisory personnel; that the only means of complying with the requirements of the Administrative Code, would be to demolish the 3 story building and reconstruct it; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal should be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated December 19, 1957, acting on Alt App. 3919-57, Objections 2, 3 and 4 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the resolution adopted by the Board on September 16, 1952 under Cal. No. 568-52-A shall be complied with as follows:

"that the entire building facing on 13th Avenue and 40th and 41st Streets shall be made to comply with all the requirements thereof and that the sprinkler system shall be maintained to the satisfaction of the Fire Commissioner, except as modified herein, as proposed and as indicated on plans filed with this appeal marked 'Received December 19 1957', 13 sheets."

88-58-BZ

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district,

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the change in use within the existing building from theater to bowling alley.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Avenue, Block 6022, Lot 22, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Jordan Street and 200th Street are in retail and residence use, D and E-1 area, class ½ height districts; 32nd Avenue is in a retail use, D area, class ½ height district; 29th Avenue is in a residence use, E-1 area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 6, 1958 acting on Alt. Applic. No. 2266-57, reads:

"1. The proposed change in use from a theater to a bowling alley of a structure which is in a retail use district and extending into a residence use district, the proposed extension of a non conforming use into the residence portion of the bldg. and the discharging of the northwest exit into the residence portion of the lot is contrary to Art. 2 Sec. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 27.50 feet frontage by 117.5 feet in depth, irregular in area, on which is located a two story building erected in 1930, of class 1 construction, after completion of work under N.B. Applic. No. 9404-26 and occupied as a motion picture theater under Certificate of Occupancy No. 44903 issued November 6, 1930, continuously until 1957, and presently being altered under approved Alt. Applic. No. 2266-57 for change of use only within the front 100 foot portion of the premises within the retail use district, wherein such use is a conforming use; that it is proposed to extend the bowling alley use into that portion of the existing building in a residence use district; and

WHEREAS, the applicant states that the plot extends 17.5 feet into the residence use district, and the existing building extends 7.27 feet into the residence zone; that the division of the plot into two zones existed at the time of the approval and erection of the theater building in 1930; that however, the zoning objection was overlooked and the Certificate of Occupancy was issued in error; that the present owners, through a subsidiary corporation, purchased the premises recently without knowledge of the fact that the Certificate of Occupancy issued in 1930 was invalid and unaware of the fact that the premises extended into the residence district; that in fact, the Department of Buildings was unaware that the original permit and Certificate of Occupancy issued 18 years ago were invalid until their attention was brought to it for the purposes of this application; that the proposed bowling alley use is a conforming legal use in the front 100 feet of the premises, which is located in a retail use district and which was in a business zone when the original theatre building was erected; that it is not proposed to alter the exterior portion of the building within the residence zone; and

WHEREAS, the applicant contends that a grant of the variance will not adversely affect any of the surrounding property owners; that the plot is an irregular plot, almost entirely within the retail use district; that the entrance to the building is on 32nd Avenue within the retail zone; that there are no business entrances, show windows or other evi-

dences of the commercial use within the residence zone, except for emergency fire exits; that there is no record in the Building Department of any complaint of any neighbor based on the zoning since the erection of the building; that title to over 90% of the properties within the affected area was taken after the erection of the building; that there is no way of complying with the Zoning Resolution except by demolishing the entire rear wall and rebuilding it 7.5 feet from its present line; that the necessary demolition would not benefit the adjoining owners in any manner; and

WHEREAS, the applicant further contends that the premises no longer can be economically used as a theatre; that the present owners unsuccessfully attempted to continue the theatre use for over six months; that the City Assessors have recognized the inability of the owners to economically use the premises as a theatre by substantially reducing the assessed valuation; that the building has been vacant for almost one year; that the proposed occupancy would permit the proper maintenance of the building and vacant rear yard, which cannot be presently maintained adequately; that the rear yard, running through from Jordan Street to 200th Street, has become a "hangout" because of the lack of supervision; and

WHEREAS, the applicant states that the present owner has held title to the property since February 4, 1958; that the assessed valuation of land is \$12,500 and of the building \$62,500 making a total of \$75,000; that the building was erected in 1930; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the extension of use in the more restricted district as proposed and as indicated on plans filed with this application marked "Received February 28, 1958", 14 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified this day under Cal. No. 89-58-A; that the building shall not be increased in height or area; that the ventilator in the passageway on the alley side shall be protected with incombustible sound-proofing material so as to eliminate noise; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

89-58-A

APPLICANT—Leonard F. Rothkrug, for Stanjack Holding Corp., owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent; re stairways, exit, marquee, etc.

PREMISES AFFECTED—199-03 32nd Avenue, north side, 20 feet east of Jordan Street, Block 6022, Lot 22, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated February 6, 1958 on Alt. Applic. 2266/57 reads:

"2. Exterior stairway must be enclosed as per 6.4.1.8.1(a) 10.5.4, 10.12.7.1, 10.12.7.2 and 10.12.7.3 of the B.C.

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3. The distance from the rear portion of the bldg. on the 2nd floor to a required exit exceed 100 feet and is contrary to 6.1.2.4 of the B.C.

4. Existing marquee is contrary to 2.4.1.48 of the B.C."

and

WHEREAS, the applicant states that the building is 2 stories, 36 feet in height, 27.50 feet front by 107 feet irregular in depth at 1st floor, 27.50 feet front by 59 feet irregular in depth at 2nd floor, of fireproof construction, erected 1930, located in a retail and residence use, D area, class 1/2 height district, formerly used as a theatre now vacant; that it is proposed to be used and occupied as follows: Cellar—boiler room and storage; 1st floor—bowling alley, 200 persons; 2nd floor—bowling alley and accessory meeting room, 200 persons; that the building is provided with one 8 foot wide interior stairs of incombustible construction, fireproof enclosed, equipped with fireproof self-closing doors and leading from roof bulkhead and direct to street; that one exterior stairs on the west side extending to street by stair through open side yard; window and door openings on the course of the exterior stair are fireproof; and

WHEREAS, Certificate of Occupancy No. 44903 issued November 6, 1930 against N.B. Applic. 9404/26 describes the building as 2 stories, brick construction and permits its use as theatre, number of occupants not stated; and

WHEREAS, the applicant states that the building was erected in 1930 of class 1 construction, and used as a motion picture theatre under Certificate of Occupancy No. 44903 and was continuously so used until 1957; that the building is now being altered under approved Alt. Applic. 2266/57 and its use changed to bowling alleys, which approval requires a rear wall and existing exits to be demolished to conform to the Zoning Laws; and

WHEREAS, the applicant states that it is now proposed to maintain the existing building and exits substantially as existed when the building was used as a theatre; and

WHEREAS, the applicant states that the building is equipped with one 8 foot wide stairway to the 2nd story enclosed with fireproof partitions throughout and leading directly to 32nd Avenue and to the roof by a 3 foot wide stairway; that in addition there are two 8 foot wide open stairways to the 2nd story and an exterior 4 foot stairway leading directly to the side yard at Jordan Street permitting access also to 200th Street, this exterior stairway is protected with fireproof self-closing doors and there is in addition, a 2nd exterior stairway leading to this same side yard; that the approved alteration application proposed the demolition of the rear wall and its reconstruction 7 1/2 feet away from the rear lot line, resulting in a proposal to remove the 2 exterior stairs and the erection of a new enclosed stair; that the 2nd story balcony is proposed to be extended to the easterly lot line thereby creating a complete 2nd story for the bowling alley use; and

WHEREAS, the applicant contends that the proposed occupancy by a maximum of 400 persons is far less than the 1500 persons seating capacity of this theatre; that due to the nature of the bowling alley use the occupants are grouped at that portion of the building where the exits have been provided; that the exit conditions as proposed present a greater safety factor than existed when the building was occupied as a theatre; that the building is of fireproof construction and has a total of four easily accessible means of exiting direct to three streets; that it is proposed to use mechanical automatic pinsetting equipment so that there will be no occupants at the easterly end of the building except for occasional maintenance purposes; that the distance from any portion of the floor where occupants will be is less than 100 feet from the exits; that since there will be 10 bowling alleys there will be no persons more than 30 feet from the exits; and

WHEREAS, the applicant states that the existing marquee is proposed to be maintained without alteration; that the bowling alleys will retain the same name as the theatre; that the bowling alley use which is similar to the use set

forth in Section C-26-219.0(g) of the Administrative Code, in that it is use of an essentially public nature; that the marquee has existed since the building was erected; and

WHEREAS, plans filed with this appeal indicate that the marquee extends from the building line to the curb line and is 11 feet 6 inches above sidewalk grade and extends for the full width of the building on 32nd Avenue; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the application should be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated February 6, 1958, acting on Alt. Applic. No. 2266-57, Objections 2 and 3 be and it hereby is *modified* and that the appeal be and hereby is *granted on condition* that the resolution adopted this day under Cal. No. 88-58-BZ shall be complied with and that the stairway shall be maintained as proposed and as indicated on plans filed therewith marked "Received February 28, 1958", 4 sheets, and "June 3, 1958", 9 sheets, and denied as to Objection No. 4 as to maintaining existing marquee.

118-58-BZ

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and local retail use district, the change in use of an existing two and three story building, which were formerly two buildings and legally connected, from garage for more than five (5) cars and commercial garage to manufacturing of plastic toys and novelties, storage and assembly and shipping of lacquer coating, the proposed floor space used is in excess of the lot.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Ralph Avenue and Monroe Street are in business and local retail use, C area, class 1 height districts; Gates Avenue and Broadway are in a business use, C area, class 1 height district; that as of July 25, 1916 the entire premises were in a business use district; that the local retail use classification for that part of the property within 100 feet of Ralph Avenue and within 100 feet of Monroe Street became effective March 17, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated January 28, 1958 acting on Alt. Applic. No. 4101-57, reads:

"6. Proposed change of occupancy in a building partly in a Business and partly in a Local Retail zone is contrary to Art. II, PP. 4-6 of the Zoning Resolution.

7. Proposed manufacturing in a Business zone and and Local Retail zone where the total floor space used is in excess of the lot is contrary to Art. II, PP. 4-c and PP. 4-C of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 175 feet in depth, presently developed with a two and three story building of class III and class I construction, covering the entire lot and now

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occupied as follows: first floor—manufacturing by injection process of plastic toys and novelties, storage and assembly, shipping and receiving; second floor—assembly of plastic toys and novelties and storage; third floor—assembly and lacquer coating of plastic toys and novelties; that Department of Building records show that the two and three story buildings designated as buildings A and B were built separately and legally connected to form one building, in 1927; and

WHEREAS, the applicant states that building A is two stories in height of class III construction, with a frontage of 88 feet, a depth of 200 feet, erected under N.B. Applic. No. 221 of 1899 for use as a stable and milk depot, for which no Certificate of Occupancy was issued; that the building was altered under Alt. Applic. No. 9612-36 and the use changed as follows: first floor—garage for more than five cars; second floor—commercial cars garage, and Certificate of Occupancy No. 81206 was issued February 16, 1937 for these uses; that building B is three stories in height, of class I construction, with a frontage of 62 feet, a depth of 175 feet and was erected under N.B. Applic. No. 399 of 1881 for use as stable and car house and that no Certificate of Occupancy was issued; that the building was altered under Atl. Applic. No. 4131-1911 and the use changed to paint shop; that the building was further altered under Alt. Applic. No. 2386-1925 and the use changed to wagon and repair shop; that Certificate of Occupancy No. 7664 was issued October 7, 1926 for use as a wagon and repair shop; that buildings A and B were connected under Alt. Applic. No. 7937-1927 and under Cal. No. 1042-26-A and Cal. No. 63-27-S; that at that time building A was being used as a stable and milk depot and building B had a Certificate of Occupancy, No. 7664, for use as a wagon and repair shop; and

WHEREAS, the applicant contends that the present uses as proposed to be maintained in this building are permitted for 100 percent of the area of the lot, within the business use portion of the plot; that the present extension of these permitted uses into that portion of the building in the local retail use portion of the plot and for 100 percent of the areas of the second and third floors, cannot have an adverse effect on any of the adjoining property owners, inasmuch as this entire block is in a business use district and a low rental area; that the land and building are very high in assessed value and it is mandatory for the owner to use every square foot of this building; and

WHEREAS, the applicant states that the present owner has held title to the property since November 27, 1956; that the assessed valuation of land is \$65,000 and of the buildings \$120,000 making a total of \$185,000; that the buildings were erected in 1899; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the manufacturing use as proposed throughout the building as indicated on plans filed with this application marked "Received February 25, 1958," one sheet, "May 14, 1958," 4 sheets, and "June 5, 1958," 7 sheets, *on condition* that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto other than as modified this day under Cal. No. 119-58-A; that this variance shall last only so long as the premises are occupied for the manufacture of plastic novelties as proposed and for no other use; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the sprinkler system shall be maintained with connection to Fire Headquarters through an approved central station; and that all permits

shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

119-58-A

APPLICANT—James E. Vassalotti, for 992 Gates Realty Corp., owner.

SUBJECT—Application February 25, 1958—Appeal from a decision of the Borough Superintendent, re provide additional stair.

PREMISES AFFECTED—37-53 Ralph Avenue, 992-1002 Gates Avenue, southeast corner and 825-827 Monroe Street, Block 1480, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated January 28, 1958 on Alt. Applic. 4101/57 reads:

"1. Provide an additional stair from the third floor in full compliance with Section 270 of the Labor Law and the Factory Exit rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 2 and 3 stories, 37 and 45 feet in height, 150 feet front by 175 feet irregular in depth at street floor, 62 feet front by 175 feet in depth at typical floor, of class 1 and class 3 construction, erected 1899, located in a business and local retail use, C area, class 1 height district, and used and occupied since 1956; 1st floor—manufacturing of plastic toys, novelties, assembly and shipping, 65 persons; 2nd floor—assembly of toys and storage, 39 persons; 3rd floor—storage, no persons; that it is proposed to be used and occupied as follows: 1st floor—manufacturing plastic toys and novelties, assembly and shipping, 65 persons; 2nd floor—manufacturing plastic toys and novelties, assembly and shipping, 39 persons; 3rd floor—assembly of plastic toys and novelties, lacquer coating, 45 persons; that the building is provided with a two-source sprinkler system throughout and a central station alarm system; that there are 3 interior stairs, 3 foot 8 inches wide of steel construction, fireproof enclosed, equipped with fireproof self-closing doors and extending directly to street; that 2 of these stairs extend to roof; and

WHEREAS, Violation Number 5198/57 was issued for changing the occupancy from the permissible use to manufacturing of plastic toys on the 1st floor, 30 persons; that on the 2nd floor for storage without obtaining a certificate of occupancy; and

WHEREAS, Certificate of Occupancy No. 81206 issued February 16, 1937, permits the following use and occupancy; 1st floor—garage for more than 5 cars; 2nd floor—commercial cars—garage; and

WHEREAS, the applicant states that the record of the Department show that the 2 and 3 story buildings designated as "A" and "B" were built separately and legally connected to form one building in 1927; that building "A" is 2 stories in height, of class 3 construction, 88 feet front by 200 feet in depth, erected under N.B. Applic. 221 of 1899 for use as a stable and milk depot, no certificate of occupancy was issued; that the building was altered under Alt. Applic. 9612/36 and its use changed to 1st floor—garage for more than 5 cars; 2nd floor—commercial car garage; that Certificate of Occupancy 81206 was issued for such use; that building "B" was 3 stories in height, of class 1 construction, 62 feet front by 175 feet in depth, erected under N.B. Applic. 399/1881 for use as a stable and car house, no certificate of occupancy was issued; that this building was altered under Alt. Applic. 4131/11 and changed to paint shop, and again altered under Alt. Applic. 2386/25 for use as a wagon and repair shop and Certificate of Occupancy 7664 was issued October 7, 1926 for such use; that building "A" and "B" were connected

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under Alt. Applic. 7937/27 pursuant to variance granted by the Board under Calendar Number 1042-26-A and 63-27-S; and

WHEREAS, the applicant contends to Objection No. 1 issued by the Borough Superintendent, that the building is provided with one 3 foot 8 inches wide fireproof stairway leading direct to street; that as a second means of egress the 3rd floor is provided with a 3 foot wide iron catwalk over the roof of the 2 story building, which catwalk leads to a 3 foot 8 inch wide fireproof iron stair leading directly to street; that as a third means of egress the 3rd floor is now provided with a 3 foot 8 inch wide door to the roof of the building, thence to the catwalk and to the street; that the exits from the 3rd floor were approved by the Board under Calendar Number 63-27-S when the building was used for a wagon and repair shop; that inasmuch as it is now only proposed to change from one factory to another, the exits are sufficient and it is therefore requested that this application be granted; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. App. 4101-57, Objection No. One and that the appeal be and it hereby is granted, on condition that the resolution adopted on April 5, 1957 under Calendar Number 63-27-S shall be complied with, this resolution reading as follows:

"that an iron platform bridge shall be constructed not less than three feet in width with railings three feet six inches in height across the roof of the easterly section at the front of the building connecting to the enclosed fireproof stairs at the extreme northeasterly end of the easterly section of the building."

140-58-BZ

APPLICANT—Haus and Bresin, for The Cord Meyer Co., owner.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of auto washing—non automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—93-24 Roosevelt Avenue and 40-02 to 40-10 94th Street, southwest corner, Block 1562, Lot 25, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: James J. McDegan, Rosina Dainotti, Ann Ablaskovich and Helen Day.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 17, 1958, after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; then to July 15, 1958, for further inspection and decision; and

WHEREAS, the district maps accompanying the zoning resolution show that the site, Roosevelt Avenue and Whitney Avenue are in a business use, B area and class 1½ height district, Aske Street and 94th Street are in a business and residence use, B area and class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent,

dated February 7, 1958, acting on N.B. Applic. 158-58, reads:

"1. Proposed erection of a gasoline service station, auto-washing (non-automatic), lubrication, office, sale of auto accessories, minor repairs with hand tools only, parking, and storage of more than five (5) motor vehicles in a Business use district is contrary to Article II, Section 4(a) 29, 46 of Zoning Resolution.

"2. Proposed erection of a ground sign in a business use district is contrary to Article II, Section 4(a) of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage, by 100 feet in depth, vacant except for three large advertising billboards which will be removed if this application is granted; that the entire block front is now a single tax lot (Lot 14); that this lot has been tentatively sub-divided for purposes of this application, and the site has been assigned tentative Lot No. 25 by the Tax Department; that it is proposed to develop the site with a modern gasoline service station; that the proposed building will have a face-brick exterior on the front and both sides; that pumps will be installed only along the Roosevelt Avenue frontage of the plot and will be set 15 feet back from the building line; that only one curb cut will be installed on 94th Street, located near the intersection of Roosevelt Avenue in compliance with Section 7A; that fencing will be provided on both interior lot lines and an iron picket fence on a concrete base will be provided along the southerly half of 94th Street building line; that planting and shrubbery protected by concrete curbing will also be provided along the 94th Street building line; that the repairing herein proposed will consist of minor repairs with hand tools only, and will be confined to the interior of the accessory building; and

WHEREAS, the applicant contends that as previously mentioned, the balance of the block front to the west along Roosevelt Avenue (Lot 14) is a vacant lot under the same ownership as the site, and will remain separate for possible future development for a conforming use; that the entire balance of the affected area on the south side of Roosevelt Avenue to the west of the site (Block 1550—Lot 10) is also under the same ownership as the site, and is developed as a parking lot; that directly opposite the site across 94th Street (Block 1589—Lot 92) there is a gasoline service station, garage, repair shop and auto laundry; that this gas station lot extends along the entire block front from 94th Street to 95th Street; that the auto laundry and repair shop extend to the 94th Street building line, with a curb cut and overhead door facing our site; that the elevated line of the IRT runs along Roosevelt Avenue with "L" pillars located on the sidewalk at the curb; that the noise and interference with light and air caused by this busy elevated line makes development of the site with a conforming use very difficult; that because of the "L" structure and the heavy traffic on Roosevelt Avenue, it is felt that the proposed development will not affect properties to the north of the site; that adjoining the site to the south on 94th Street is a vacant triangular plot (Block 1562—Lot 26) acquired by the city a number of years ago for non-payment of taxes; that beyond this lot are the irregular rear yards of two dwellings fronting on Aske Street; that Roosevelt Avenue is a very heavily travelled thoroughfare on which additional automotive servicing facilities are both appropriate and necessary; that since the most affected portion of the affected area is under the same ownership as the site, or is already developed as a gasoline service station, it is felt that the present proposal will not adversely affect the surrounding properties; that it is also felt that the proposed paved, fenced and well-lighted development will be a distinct improvement over the vacant lot and large billboards now occupying the site; that it is therefore respectfully requested that this application be granted for a temporary term of fifteen (15) years; and

WHEREAS, the applicant states that the present owner has held title to the property since November 1899 and June

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1927; that the assessed valuation of the land is \$55,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and lawful uses accessory thereto, substantially as proposed and indicated on plans filed with this application, marked "Received February 20, 1958", 3 sheets, and "May 1, 1958", 1 sheet *on condition* that all buildings and uses on the premises shall be removed and the site constructed and arranged as indicated on such plans; that the premises shall be leveled substantially to the grade of Roosevelt Avenue and 94th Street; that the accessory building shall comply with the requirements of the Building Code, be faced on all sides with face brick and have no cellar; that pumps shall be of a low approved type erected not nearer than 15 feet to the street building line of Roosevelt Avenue; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved gasoline storage tanks; that on the lot line to the south there shall be erected a brick masonry wall constructed to a total height of not less than 5 feet, 6 inches, properly coped; that there shall be a masonry wall to a height of approximately 3 feet, with steel pickets above for a total height of 5 feet, 6 inches, for a distance of fifty feet from the rear lot line toward Roosevelt Avenue; that on the westerly lot line there shall be a similar fence wall from the rear to the building line of Roosevelt Avenue; that the premises where not built upon or occupied by planting shall be paved with concrete or asphalt paving; that planting shall be maintained, where shown, against the wall on the 94th Street building line, not less than 5 feet in width, with suitable planting, properly protected by a concrete curbing not less than 8 inches in height and 6 inches in width; that curb cuts shall be restricted to one on 94th Street within the first twenty-five feet of the intersection, and three curb cuts not over 30 feet in width, where shown, to Roosevelt Avenue; that the sidewalks and curbing abutting the site on the two streets shall be constructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i there may be minor repairing with hand tools only for adjustments maintained solely within the accessory building; that under Section 7e for a similar term there may be parking and storage of motor vehicles so stored as not to interfere with the servicing of the station and limited to pleasure-type cars; that signs shall be restricted to signs attached to the facade of the accessory building, and the illuminated globes of the pumps, excluding all roof signs and temporary signs and advertising devices, but permitting the erection within the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend at right angles to Roosevelt Avenue for not more than 4 feet; that at such intersection there shall be a block of concrete not less than 12 inches in height, extending for five feet along each building line; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

151-58-BZ

APPLICANT—Ervin Palmer, for Herald Contracting Co., owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing building from power house to warehouse, storage and contractor's office.

PREMISES AFFECTED—33 Attorney Street, west side, 125 feet north of Grand Street, Block 346, Lot 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer and Stuart Eisen.

For Opposition: None

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; Broome Street and Attorney Street are in residence and local retail use, B area, class 1½ height districts; Grand Street and Clinton Street are in a local retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 15, 1958 acting on amendment to Alt. Applic. No. 1667-57, reads:

"1. Repeat: Proposed storage warehouse and office is located in Residence use district and is therefore contrary to Section 3 of the Zoning Resol."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100 feet in depth, occupied by a building of three stories—a basement floor, first floor and second floor and a small penthouse, which it is not proposed to be used; that it is designed for unusually high live loads, 1,000 pounds per square foot on the first floor and 465 pounds per square foot on the second floor; that it has a 3 foot 8 inch wide fireproof stairway from street floor to roof, including roof bulkhead, and is enclosed in eight inches of masonry, except the basement, which is enclosed in four inches of masonry; that it is proposed to obtain a variance to permit the use of the existing former Consolidated Edison power house building for the purposes of a general contractor's warehouse storage and his office, for owner occupancy only; that the proposed use would consist of a drop curb and the widening of the entrance doorway to arrange for a loading platform, with no intent for storage, and the direct exit from the stairway to the street in compliance with objection No. 2 of the Department of Buildings; that the penthouse will be closed and left permanently vacant; and

WHEREAS, the applicant states that at the time of the erection of the building and until March 17, 1953 this location was zoned as business, 1½B; that the present owner acquired the property on February 19, 1957; that the existing Certificate of Occupancy No. 7491 indicates that the building was completed in December of 1923; that there appears to be some errors in this Certificate of Occupancy, as it lists the construction classification as non-fireproof, whereas the building is completely fireproof and it fails to list a penthouse, the existence of which is indicated in the originally filed plan; and

WHEREAS, the applicant contends that the owner-contractor plans to use this building as his own warehouse, storing such building materials as door, door bucks, horses, planks, bags of cement and similar building materials, and intends to use part of the second floor as his office, to be separated by a portable metal partition, which he plans to erect at a later date; that the proposed use will in no way lower the character of the neighborhood from the previous use as a transformer and storage battery station; that tearing the building down costs a tremendous amount of money because of its construction, and no public interest would be served by such a move in any way; and

WHEREAS, the applicant requests that the Board consider this application under Section 7e and to consider it in the

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light that it is an existing building at this place since 1924; and

WHEREAS, the applicant states that the present owner has held title to the property since February 19, 1957; that the assessed valuation of land is \$8,000 and of the building \$29,000 making a total of \$37,000; that the building was erected March 2, 1922; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit the existing building to be used as a storehouse for a general contractor, storing contractor's equipment, cement and other materials, substantially as proposed and indicated on plans filed with this application marked "Received March 21, 1958", 3 sheets, "June 6, 1958," 4 sheets and "July 10, 1958," 1 sheet, *on condition* that the building shall not be increased in height or area and in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that there shall be no signs erected on the building except a neat metal sign attached to the front wall near the entrance, not exceeding two square feet, advertising the owner's name and business; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this resolution.

Adjourned: 4:05 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 15, 1958, 2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

121-35-SA

APPLICANT—Iron Fireman Manufacturing Company, new owner; Sciufe Co., former owner.

SUBJECT—Application for consideration, reopening and amendment of resolution as to additional models OFS-85, OBN-100 and OBN-175 and change of company name—re Timken Silent Automatic Water Heater, Model 40-A and 50-B; previously approved.

APPEARANCES—

For Applicant: Paul S. Riker.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 121-35-SA.

SUBJECT: Amendment to resolution as to additional models and change of Company name.

Iron Fireman Manufacturing Co., Cleveland, Ohio, requested by letter dated June 6, 1958 that the resolution adopted June 18, 1935 and as amended through February 5, 1957 under Cal. No. 121-35-SA be reopened and amended so as to include additional units and also to amend as to change of ownership.

Description

The requested model OFS-85 is similar to the model OFS-100 (approved by the Board February 6, 1957) except as to firing rate.

The OBN-100 is similar to the OBW-180 (approved by the Board February 1, 1955) except as to cabinet styling.

The OBN-175 is similar to the OFC-170 (approved by the Board February 1, 1955).

Recommendation

On the basis of the formal notification filed by the Iron Fireman Manufacturing Co. that they had acquired the assets of the Scaife Co. of Oakmont, Pa. the Committee recommends that the resolution adopted June 18, 1935 and amended through February 5, 1957 under Calendar Number 121-35-SA be reopened and amended so as to show a change of ownership to the Iron Fireman Manufacturing Company.

The Committee further recommends the approval of the models OFS-85, OBN-100 and the OBN-175 on condition that the requirements of the resolution adopted June 18, 1935 and as amended through February 5, 1957 under Calendar Number 121-35-SA be complied with.

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of June 18, 1935 through February 5, 1957 in accordance with the above report.

967-47-SM

APPLICANT—United States Plywood Corporation, owner. SUBJECT—Application for reopening and amendment of resolution as to glue—re Douglas Fir Plyscord (plywood sheathing); previously approved.

APPEARANCES—

For Applicant: James A. Fitzpatrick.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 967-47-SM.

Subject: Amendment to resolution as to glue.

United States Plywood Corp. New York, requested by letter dated November 7, 1957 that the resolution adopted December 20, 1949 under Calendar Number 967-47-SM so as to include an additional glue. The application was reopened by a vote of the Board January 7, 1958.

Description

The requested modification is an improvement over the glue line approved by the Board and is known as the L-1R glue line. The L-1R glue is the same as the previous glue with a resin additive and the laminates are pressed together by the hot press method instead of the cold press method. This new glue line makes the glue line more water repellant than the previous glue line.

Recommendation

The Committee on Test recommends that the resolution

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adopted December 20, 1949 under Calendar Number 967-47-SM be amended so as to permit the use of the material known as L-1R glue line on condition that the requirements of the resolution adopted December 20, 1949 under Calendar No. 967-47-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 20, 1949 in accordance with the above report.

175-49-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened March 19, 1957 for amendment of resolution as to incombustible rating of partition—re U.S. Plywood Partition Panel, 13/4 inch thick with Kaylo Core and 1 inch thick with Kaylor Core; previously approved.

APPEARANCES—

For Applicant: James A. Fitzpatrick.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 175-49-SM.

Subject: Amendment to resolution as to incombustible rating of partition.

United States Plywood Corp., New York requested by letter dated March 1, 1958 that the resolution adopted June 2, 1958 as amended through June 17, 1953 be amended so as to permit treated lumber to be used as a post between panels instead of a spline. The application was reopened by a vote of the Board March 19, 1957.

Purpose

The partition is to be used as an incombustible subdividing partition under C26-667.0 Administrative Building Code.

Description

The panels are constructed in the same manner as the previously approved panels except that on the long sides of the panels a slotted channel is screwed to the wood edges; a steel clip is inserted in the slot to act as a spreader to keep one panel from butting the adjacent panel and also to form a raceway between panels. In order to close this opening, treated lumber, 2 3/4" wide by 3/8 or 5/8" thick having a spring clip is inserted between the opening and the clip engages the slotted channel thereby closing the opening and affording a plane surface. This closure piece is known as the post.

Inspection and Test

The post section was tested in accordance with the requirements of C26-331 through C26-339, Administrative Building Code and successfully met the requirements of fire proofed wood. The wood also successfully met the requirements of C26-88.0 Administrative Building Code.

Recommendation

The Committee on Test recommends that the resolution adopted June 28, 1949 under Cal. No. 175-49-SM be amended so as to permit the previously approved panel with the addition of the fire proofed wood post, as herein described, to be used as an incombustible subdividing partition under the provisions of C26-667.0.5 Administrative Building Code on

condition that the requirements of the resolution adopted June 28, 1949 under Cal. No. 175-49-SM be complied with.

The Committee further recommends that this recommendation shall in no way be considered a carte blanc approval of fire-proofed wood to be used wherever incombustible material is required but only to be used for the specific use as herein recommended.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 28, 1949 in accordance with the above report.

148-50-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to change of edge of board and marking—re Gold Bond Insulation Roof Boards; previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 148-50-SM.

Subject: Amendment to resolution as to change of edge of board and marking.

National Gypsum Co., Buffalo, New York requested by letter dated May 8, 1958 that the resolution adopted October 28, 1952 under Cal. 148-50-SM be amended so as to include the additional material; Gold Bond Air-Grid Roof Insulation Board and Gold Bond Fiberlok Tapered Edge Strips. The application was reopened by a vote of the Board June 3, 1958.

Purpose

The board is to be used for Thermal and sound insulation.

Description

The Air Grid Roof Insulation Board is manufactured of the same materials as the board previously approved. It differs in that it has a 1 1/16 inch by 7/16 inch bevel on all four edges of the deck side of the board, which, when applied creates an interlocking net work of triangular channels over the entire roof area. The board is supplied asphalt impregnated or rosin impregnated—asphalt coated and the size of the board is 2'-0"x4'-0" and ranges in thickness from 1" to 3".

Gold Bond Fiberlok Tapered Edge Strips are also manufactured from the same material as the previously approved board and is fabricated in pieces 1'-0" by 4'-0" being 1/8 inch thick along one 4'-0" edge and 1 5/8 inch thick along the other 4'-0" edge. Its principle use on roofs is to control drainage.

Recommendation

The Committee on Test recommends that the resolution adopted October 28, 1952 under Cal. No. 148-50-SM be amended so as to include the additional materials known as Gold Bond Air-Grid Roof Insulation Board and Gold Bond Fiberlok Tapered Edge Strips on condition that the requirements of the resolution adopted October 28, 1952 under Cal. No. 148-50-SM be complied with except that in lieu of the wrapper or package being tagged, stamped or labeled, the shipping tickets and/or invoices or bills of

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lading shall be marked "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 148-50-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 28, 1952 in accordance with the above report.

373-50-SA—Vol. II

APPLICANT—Airco Equipment Mfg. Division, Air Reduction Company, Inc., owner.

SUBJECT—Application reopened June 2, 1953 for amendment of resolution as to additional models of torches—re Air Reduction Co., Inc. Welding and heating torches with cutting attachment, Models 700 Series and 800 Series; previously approved.

APPEARANCES—

For Applicant: Wm. F. Sues.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 373-50-SA—Vol. II.

Subject: Amendment to resolution as to additional models of torches.

Airco Equipment Manufacturing Division, Air Reduction Co., Inc., requested by letter dated May 20, 1953 that the resolution adopted July 24, 1951 under Cal. No. 373-50-SA—Vol. I be amended so as to include additional torches and cutting attachment. The application was reopened by a vote of the Board June 2, 1953 under Cal. No. 373-50-SA—Vol. II.

Purpose

The appliances are used for the cutting, heating and welding of metals.

Description

The series 1000 and 2000 are similar to the series 700 and 800, previously approved, except for the following features; diaphragm type cutting valve, removable mixer and torch adapter with frustoconical shaped rubber seat elements. The 400 series is basically a 1000 and 2000 series except that it is shorter and provision is made for attachment to the approved 300, 400 and 9000 welding torches.

The series 822-6075 and 822-6085 are Hand Scarfing Torches similar to the 6000 series previously approved. The difference being that the current series has a stronger scarfing oxygen lever, triangular tube stiffeners, an improved rod feed device and increased ruggedness.

The cutting torch 822-6550 is similar to the series 4000 and 9000 series, previously approved, except for a straight head, the use of a one piece instead of two piece cutting oxygen lever and the elimination of the rod feed mounting.

The series 2400 cutting attachment are used in conjunction with the 700 series torch. The series 3700 and 3800 are also cutting attachments.

Inspection and Test

The entire range, as herein described, have been approved by the Underwriters Laboratories under SA 482.

Recommendation

The Committee on Test recommends that the resolution adopted July 21, 1951 under Cal. No. 373-50-SA—Vol. I be amended so as to include the additional torches and cut-

ting attachments as herein described on condition that the requirements of the resolution adopted July 21, 1951 under Calendar Number 373-50-SA—Vol. I are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 21, 1951 in accordance with the above report.

500-50-SA

APPLICANT—Bryant Heater Division of Affiliated Gas Eq., Inc., owner.

SUBJECT—Application reopened July 2, 1957 for amendment of resolution as to additional models of gas fired equipment, Model 328—re Crane Gas-fired Unit Heaters, Models 75-329, 95-329, 125-329, 160-329, 225-329, CR75-327, CR50-327, CR100-327, CR125-327, CR200-327 and CR225-327; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar No. 500-50-SA.

Subject: Amendment to resolution as to additional models of gas fired equipment.

Bryant Division of Carrier Corp., New York, requested by letter dated June 5, 1957 that resolution adopted January 16, 1951 and amended through May 29, 1956 under Cal. No. 500-50-SA be amended so as to include additional models of gas fired equipment. The application was reopened by a vote of the Board July 2, 1957.

Purpose

The appliance is a gas fired unit intended for domestic heating and commercial heating and also for use in garages.

Description

The requested model 328 is similar to the Model 327, approved December 23, 1952 under Cal. No. 500-50-SA, the difference being that the Model 328 has substituted a centrifugal blower for the fan propeller.

Recommendation

The Committee on Test recommends that the resolution adopted January 16, 1951 and amended through May 29, 1956 under Cal. No. 500-50-SA be amended so as to include the Model 328 on condition that the requirements of the resolution adopted January 16, 1951 under Cal. No. 500-50-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of January 16, 1951 through May 29, 1956 in accordance with the above report.

556-50-SM

APPLICANT—United States Gypsum Company, owner-manufacturer.

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SUBJECT—Application reopened November 29, 1955 for new and additional construction methods and materials—re USG Trussteel Studs; previously approved.

APPEARANCES—

For Applicant: Wm. W. Bainbridge.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar No. 556-50-SM.

Subject: New and Additional Construction Methods and Materials.

The United States Gypsum Company requested by letter dated December 9, 1955, that the resolution adopted under the above Cal. No. on October 9, 1951 and corrected July 13, 1954, and amended September 20, 1955, be reopened for consideration and approval of new and additional construction methods. It was reopened by vote of the Board on Nov. 29, 1955.

Purpose

The Trussteel Studs serve as a foundation for the attachment of a plaster base rated 1 hour fire resistive or better and for the attachment of a dry wall system for interior incombustible dividing partitions. Additional sizes of Trussteel Studs and improved resilient clips and floor and track runners are available.

Description

Trussteel Studs of widths of $2\frac{1}{2}$ ", $3\frac{1}{4}$ ", 4" and 6", have been approved. New studs of the same five strands of 7 gauge wire of widths of $1\frac{5}{8}$ " and $1\frac{7}{8}$ " are now produced. Floor and ceiling runners of channel type construction, requiring snap on shoes to secure the studs to the track have been approved in widths of $2\frac{1}{2}$ ", $3\frac{1}{4}$ ", 4" and 6 inches. Similar track are now produced in widths of $1\frac{5}{8}$ " and $1\frac{7}{8}$ ". New snap in track, not requiring the use of snap on shoes, are now produced in widths of $1\frac{5}{8}$ ", $1\frac{7}{8}$ ", $2\frac{1}{2}$ ", $3\frac{1}{4}$ ", and 4" and 6". Resilient clips to greatly increase the sound isolation value of the partition have been previously approved. The improved #400 resilient clip places the pencil rod off to one side of the Trussteel Stud, eliminating the possibility of plaster fouling the resilient action. A combination stud and base clip to be used in lieu of floor track may also be used in this system.

Inspection and Test

Fire and hose stream tests were conducted at Ohio State University in accordance with E119 as required by C26-609.0 on a Trussteel Stud Rocklath plastered partition. The studs were $1\frac{5}{8}$ " spaced 16" on centers. The $\frac{3}{8}$ " Perforated Rocklath was secured to the studs with Truslok clips previously approved. The $\frac{1}{2}$ " plaster was USG Red Top plaster, previously approved, mixed with sand in accordance with the New York City Code requirements. The partition failed at 1 hour 38 minutes. It withstood the hose steam test. Deflection tests were conducted on a partition of the same construction. Reports of the tests are in the file and a part of the record.

Fire tests were conducted at Ohio State University on a partition consisting of Trussteel Stud spaced 16" on centers, to which was clipped by Truslok clips, previously approved, $\frac{3}{8}$ " plain Rocklath and $\frac{3}{8}$ " Baxbord, previously approved. To the face of this construction on both sides, was cemented by USG Pertatope Cement previously approved, $\frac{3}{8}$ " thick USG Sheetrock, previously approved. Failure was by rise of temperature at one thermo couple at 47 minutes and 16 seconds. Inspection of the new snap in bases and the new improved #400 clips was made at the office of the Board and they were found to perform the function for which they were designed. Reports of test are in the file and are part of the record.

Recommendation

On the basis of the inspection and tests and the data submitted by the applicant, the Committee on Test recommends that the resolution adopted October 9, 1951 under Cal. No. 556-50-SM and amended July 13, 1954 and September 20, 1955 be amended to include the use of the new $1\frac{5}{8}$ " Trussteel Stud up to a height of 10 feet and to approve the use of the improved #400 resilient clip, and the new snap in runner tracks and channel tracks in widths of $1\frac{5}{8}$ " to 6" inclusive or the combination stud and base clip. The Committee further recommends that the new $1\frac{5}{8}$ " and $1\frac{7}{8}$ " Trussteel Studs when faced with metal lath on both sides be approved as a $1\frac{1}{2}$ hour incombustible partition. The Committee further recommends that $1\frac{5}{8}$ " and $1\frac{7}{8}$ " Trussteel Studs when faced with $\frac{3}{8}$ " Perforated USG Rocklath on each side and plastered $\frac{1}{2}$ " thick with USG Red Top Cement sanded plaster mixed in accordance with the code be approved as a $1\frac{1}{2}$ hour incombustible partition.

The Committee further recommends that USG Trussteel Studs faced on both sides with USG $\frac{3}{8}$ " Rocklath or USG Baxbord clipped to the studs with USG Truslok clips and the gypsum boards aligned with each other by USG Brid-joint clips and over which is applied on each side with USG Perfatape Cement 1 layer of USG Sheetrock gypsum wall-board, taped and cemented, be approved under C26-667 as an incombustible subdividing partition in all classes of construction.

The Committee on Test also recommends that the resolution adopted July 13, 1954 in which a one hour rating was approved for $\frac{3}{4}$ " sanded plaster, perlite plaster, or portland cement plaster over metal lath attached to Trussteel Studs be corrected to read $\frac{3}{4}$ " instead of 3.4 inches as printed.

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Assistant Engineer,

GEORGE F. SKLENARIK,

Assistant Engineer,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 13, 1954 in accordance with the above report.

739-50-SM—Vol. II

APPLICANT—Harold Perrine, for Johns-Manville Sales Corp., owner.

SUBJECT—Application reopened May 21, 1957 for Johns-Manville Fibertone, Fire Retardant Finish—re Johns-Manville Fibertone Flame Retardant Finish Acoustical Treatment; previously dismissed.

APPEARANCES—

For Applicant: Harold Perrine.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 739-50-SM Vol II.

Subject: Johns-Manville Fibertone, Flame Retardant Finish. Johns-Manville Sales Corp., New York, filed August 14, 1950 an application with the Board of Standards and Appeals for approval of the material known as Johns-Manville Fibertone, Flame Retardant Finish under the Fiber Board Rules of the Board. Calendar Number 739-50-SM was dismissed for lack of prosecution and reopened under Calendar Number 739-50-SM, Volume II.

Purpose

The material is a flame retardant acoustical tile.

Description

The tile is made of fine fibers felted together in large

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sheets, chemically treated to resist moisture. The thickness varies from $\frac{1}{2}$ inch to 1 inch.

The tile is treated by painting with a Polyvinyl Acetate Paint pigmented with Titanium Dioxide and containing Calcium Carbonate, diatomaceous Silica and a Boron Flame-proofing salt.

Inspection and Test

The flame retardant tile was tested in accordance with Federal Spec. SS-A-118 in the presence of Asst. Engr. J. A. Darts and G. F. Sklenarik, Committee on Test and H. Perrine, representing the applicant. The material met the requirements.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Johns-Manville Fibre-tone, Flame Retardant Finish for voluntary use when finished with Polyvinyl Acetate Paint, as herein described, to be used on ceilings only and classes of construction as follows:

Class of Construction	Ceiling Area (sq. ft.)
1	5000*
2	5000*
3	6000
4	No Limit
5	6000
6	6000

*In school areas where the ceiling is 20'-0" clear above the floor, these areas may be increased by 50 percent.

It is further recommended that this product, even when fire-treated shall be backed up solidly, tightly, without an air space, by an incombustible backing; and further, that the tiles shall be installed in a mechanical system and further that each carton in which the tile is marketed shall be tagged, stamped or labeled: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 739-50-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

518-51-SA

APPLICANT—The Thermodyne Corp., for Carrier Corporation, owner.

SUBJECT—Application reopened February 28, 1956 for amendment to consider additional models 50-N and 41-D re Carrier Weathermaker, Models 50K4, 50K6, 50K8, 50K12 and 50K16; previously approved.

APPEARANCES—

For Applicant: Richard F. Meates.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 518-51SA.

Subject: Application reopened for amendment to consider additional models.

The Thermodyne Corporation for Carrier Corporation, Syracuse, New York, requested by letter dated January 12, 1956 that the resolution adopted March 29, 1955 under Calendar Number 518-51SA be amended so as to include the

additional models 50-N and 41-D Carrier Air Conditioning Equipment. The application was reopened by a vote of the Board on February 28, 1956. In a subsequent letter dated June 9, 1958, they requested that the amendment to the resolution also include changes made in the Model K12 and 50 K16 Weather-makers previously approved.

Purpose

Air cooled and water cooled air conditioning systems.

Description

The 50N Weather-maker series are air cooled systems designed for the air conditioning of residence and commercial buildings.

They consist of two sections that are piped together in the field after installation. One section is made up of a reciprocating type semi-hermetic compressor direct motor driven, an expansion valve and finned coil evaporator with drain pan and a centrifugal fan assembly with air filters all assembled into an insulated sheet metal casing finished in a baked enamel. The other section is made up of a weather-proofed casing that contains an air cooled finned coil condenser, a receiver and an air circulating fan for the condenser. This condenser section may be installed outdoors.

The 50-N series are made in four sizes. The 50 N5, has a 2 HP motor and F-12 is used as refrigerant. The 50-N7 has a 3 HP motor and C-7 is used as refrigerant. The 50-N9 and 50 N-11 have 5 HP and $7\frac{1}{2}$ HP motors respectively and C-7 is used as refrigerant in both.

Pressure relief on all sizes is afforded by means of a soldered joint in the condenser coil. If the receiver exceed 6 inches in diameter a fusible plug is installed on the receiver. Receivers will not exceed 3 cubic feet in volume.

The Model 50-N9 and 50-N11 Weather-makers can be equipped with steam or hot water heating coils for air tempering or year round application.

The 41-D24 Weather-maker is a 20 ton unit made up of two 10 HP motors, driving two semi hermetic compressors, two water cooled condensers, two finned coil evaporators, fitter frames, blower fans and the necessary piping and expansion valves. Each system is charged with 19 pounds of F-22 refrigerant. Pressure relief is by means of a fusible plug or may be by rupture disc on the shell and tube type condensers.

The complete systems are encased in an insulated sheet metal housing finished in a baked on enamel.

The 50-K12 and 50-K16 Weather-makers are basically the same as the 50 K12 and 50 K16 previously approved by the Board under Calendar Number 518-51SA, except that the new 50 K12 and 50 K16 units will employ one compressor and one condenser with two evaporators, instead of two separate systems previously used. The new 50 K12 is driven by a single 10 HP motor, while the new 50 K16 is driven by a single 15 HP motor.

Inspection and Test

The 50-N11 and 41-D units were inspected at 45-15 Vernon Blvd., Long Island City by Asst. Engr. G. F. Sklenarik, Committee on Test. Present was Mr. R. Meates, representing the Thermodyne Corporation.

The 50 N series has been approved by the Underwriters' Laboratories.

Recommendation

The Committee on Test recommends that the resolution adopted March 29, 1955 under Calendar Number 518-51SA be amended so as to include the Carrier Weather-maker Models 50-N5, 50-N7, 50-N9, 50-N11, 41-D24 and the new 50-K12 and 50K16, on condition that the requirements of the resolution adopted March 29, 1955 under Calendar Number 518-51SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 29, 1955 in accordance with the above report.

240-52-SA

APPLICANT—Harold N. Ipsen, for Ipsen Industries, Inc., owner, (Gerald B. Duff and Co., Agent).

SUBJECT—Application April 4, 1952—Ipsen (gas-fired) Automatic Heat Treating Unit, Model T and Ipsen 500 Atmosphere Generator, approval of.

APPEARANCES—

For Applicant: Leslie E. Senet.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 240-52-SA.

Subject: Ipsen Automatic Heat Treating Unit, Gas or Electric, Model T.

Ipsen Industries, Inc., Rockford, Illinois, filed April 4, 1952 an application with the Board of Standards and Appeals for approval of the Ipsen Automatic Heat Treating Unit, Model T under the provisions of C26-191.0 and C19-11.0 Administrative Code.

Purpose

A gas or electric furnace for heat treating metals.

Description

The Ipsen Automatic Heat Treating Unit is a batch type furnace that combines heat treating and tempering operating in a single unit.

A trayful of metal parts are placed into the furnace on a chain conveyor. The operator sets one timer for the heating cycle and another for the quenching or cooling time. A selector switch is provided so that the work may be oil quenched or air cooled as desired. After start up the process is automatic. When the heating cycle is completed an intermediate door that separates the heating compartment from the cooling or quenching compartment, opens and the unit is conveyed into the end compartment for cooling or oil quenching if so selected. After the work has moved into the cooling compartment a signal light indicates that the furnace is ready for another batch. Upon completion of cooling or quenching time another light signals that work is done. If the material was oil quenched it is lifted hydraulically to the proper height for removal.

Atmosphere gas, such as endo thermis gas produced in a special generator, is piped to the furnace and provision is made to burn off the excess at the front and rear of the heat treating unit. Ammonia gas or propane may be added to the atmosphere gas for special finishing.

Both the oven atmosphere and the oil bath are kept in circulation by means of suitable fans to assure even temperatures. Maximum oven temperature is 2500 degrees F.

The electric furnaces are heated by nichrome resistance heaters installed around the work chamber. The gas heated furnaces employ a number of atmospheric type inshot burners firing upward into Inconel combustion tubes. All furnaces are to be installed in well ventilated areas, combustion products of the gas fired units where excessive, shall be removed by means of exhaust hoods installed over the unit.

The model T furnaces include the T-250, T-300, T 3-450, T4-600, T7-1000, T9-1350, T6-900, T8-1200 and T14-2000 with heating capacities varying from 250 pounds per hour for the smallest to 2000 pounds per hour for the largest which is a double zone furnace-two heating zones.

Inspection and Test

A typical furnace installation was inspected at 282 North

Henry St., Brooklyn by Assistant Engineer G. F. Sklenarik, Committee on Test. Present was Mr. L. Genet representing the applicant.

The furnace, gas fired, functioned satisfactorily.

Recommendation

On the basis of the inspection and the data filed by the applicant, the Committee on Test recommends the approval of the Ipsen Automatic Heat Treating Unit Model T250, T300, T3-450, T4-600, T7-1000, T9-1350, T6-900, T8-1200 and T14-2000 for use with protective atmospheres when constructed and installed in accordance with this report and the provisions of C19-11.0 Administrative Code and the Electrical Code of the City of New York on condition that each furnace shall bear a label permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 240-52-SA."

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Assistant Engineer,

GEORGE F. SKLENARIK,

Assistant Engineer,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

365-52-SM

APPLICANT—United States Plywood Corp., owner.

SUBJECT—Application May 16, 1952—United States Plywood Corp., Weldwood Metal Veneer Panel (exterior Metal Veneer Panel), approval of.

APPEARANCES—

For Applicant: James A. Fitzpatrick.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 365-52-SM.

Subject: Weldwood Metal Veneer Panel.

J. A. Fitzpatrick for United States Plywood Corp., New York, filed May 16, 1952 an application with the Board of Standards and Appeals for approval of the material known as Weldwood Metal Veneer Panel under the provision of the Veneering Rules of the Board.

Purpose

The metal material is to be used as an exterior veneer and also as siding on Class V Buildings.

Description

The panel is composed of the following parts: Exterior and Interior skins; the skins being any of the following—carbon steel, stainless steel, porcelain enameled steel or aluminum. A honeycomb core made of type 3003 aluminum alloy having a cell size of $\frac{3}{8}$ inches. This core would range in thickness from a minimum of $\frac{1}{4}$ inch to a maximum of $1\frac{1}{4}$ inch with an adhesive to join the core material to the face skins.

Inspection and Test

Samples of the core and the entire panel assembly were tested in accordance with the requirements of C26-88.0 Administrative Building Code.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Weldwood Metal Veneer Panel for use in New York City as an exterior incombustible veneer under the provisions of the Veneering Rules of the Board.

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The Committee further recommends that this panel may be used as siding on metal structures as set forth under C26-243.0 Administrative Building Code on condition that the cartons or wrappers in which the panels are shipped shall be marked, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 365-52-SM or the shipping tickets, invoices, bills of lading or bills of material may be similarly marked.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

921-53-SA

APPLICANT—National Heater Co., Inc., owner.
SUBJECT—National Champion Gas-fired Warm Air Heating Units (suspended type) Models TD-120, 25, 30, 40, 50, 75, 100, 125, 150, 175 and 200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3
Negative: Commissioner Kleinert and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 921-53-SA.

Subject: National Champion Gas Fuel Warm Air Heating Units, Models TD-20, 25, 30, 40, 50, 75, 100, 125, 175 and 200, (suspended type).

E. M. Tarnoff, for National Heater Co., Inc., St. Paul, Minnesota filed December 23, 1953, an application with the Board of Standards and Appeals for approval of the appliance known as the National Champion Gas Fired Warm Air Heating Units TD-20, 25, 30, 40, 50, 75, 100, 125, 150, 175 and 200 under the provisions of Article 12 Chapter 26, Administrative Building Code.

Purpose

The appliance is a gas fuel suspended warm air furnace.

Description

The suspended units are so designed that the air is taken in at one end and discharged at the other end.

The unit consists of a blower section at the air intake end, after which is a stainless steel teardrop cross sectional cylindrical fire box or combustion chamber, above which is a tube bank and then the discharge section.

The tubes for the sizes up to and including the TD-100 are of 14 gauge; the larger sizes use 12 gauge.

The TD-80 and 100 use 10 gauge and all larger sizes use 3/16 inch steel plate. The combustion chambers in all sizes is of 14 gauge stainless steel and the casing and discharge heads are of 20 gauge steel. The gas burners used in these units are of the power type shipped fully assembled with built in pilot assembly and instantaneous flame failure safety control.

Inspection and Test

Details of construction were inspected by Assistant Engineer J. A. Darts, Committee on Test and E. M. Tarnoff, representing the applicant.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on the Test recommends the approval of the appliance known as National Champion Gas Fired Warm Air Heating Units Models TD-20, 25, 30, 40,

50, 75, 100, 125, 150, 175 and 200 for use in New York City, when constructed as herein described and installed in accordance with the requirements of Article 12 Chapter 26 Administrative Building Code. The Committee further recommends that when the appliance is installed in garages, the heater shall be so suspended that the bottom of the appliance shall be at least 8'-0" above the floor level and that the combustion air shall be ducted in from the outside air. The Committee further recommends that the appliance shall bear a label, permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 921-53-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

922-53-SA

APPLICANT—National Heater Co., Inc., owner.
SUBJECT—Application December 21, 1953—National Champion (floor type) gas-fired forced warm air heaters, Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 922-53-SA.

Subject: National Champion Gas Fired Warm Air Heaters, Model TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type).

E. M. Tarnoff, for National Heater Co., Inc., St. Paul, Minnesota, filed December 23, 1953, an application with the Board of Standards and Appeals for approval of the appliance known as the National Champion Gas Fired Warm Air Heating Units TD-20, 25, 30, 40, 50, 75, 100, 125, 150, 175 and 200 under the provisions of Article 12 Chapter 26, Administrative Building Code.

Purpose

The appliance is a gas fuel floor type warm air furnace.

Description

The floor type units are so designed that the air is taken in at one end and discharged at the other end.

The unit consists of a blower section at the air intake end, after which is a stainless steel teardrop cross sectional cylindrical fire box or combustion chamber, above which is a tube bank and then the discharge section.

The tubes for the sizes up to and including the TD-100 are of 14 gauge; the larger sizes use 12 gauge.

The TD-80 and 100 use 10 gauge and all larger sizes use 3/16 inch steel plate. The combustion chambers in all sizes is of 14 gauge stainless steel and the casing and discharge heads are of 20 gauge steel. The gas burners used in these units are of the power type shipped fully assembled with built in pilot assembly and instantaneous flame failure safety control.

Inspection and Test

Details of construction were inspected by Assistant Engineer J. A. Darts, Committee on Test and E. M. Tarnoff, representing the applicant.

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Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as National Champion Gas Fired Warm Air Heaters TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type) for use in New York City when constructed as herein described and installed in accordance with the requirements of Article 12 Chapter 26 Administrative Building Code for industrial and commercial installation on condition that the appliance shall bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 922-53-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

923-53-SA

APPLICANT—National Heater Co., Inc., owner.
SUBJECT—National Champion (suspended type) oil fired Warm Air Units Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175, 200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, and Commissioner Foley 3
Negative: Commissioner Kleinert and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 923-53-SA.

Subject: National Champion Oil-Fired Warm Air Furnaces, Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175, and 200, (suspended type).

E. M. Tarnoff for National Heater Co. Inc., St. Paul, Minnesota, filed December 23, 1953, an application with the Board of Standards and Appeals for approval of the appliance known as the National Champion Oil Fired Warm Air Furnace, Models TD-20, 25, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (suspended type) under the provisions of Article 12 Chapter 26 Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

The appliance is an oil fired suspended warm air furnace.

Description

The heater consists of a stainless steel combustion chamber with tubes located above the chamber, for the return of the flue gases to the firing end of the unit. The combustion chamber, in all sizes of the furnace, are constructed of 14 gauge stainless steel and the casing and discharge heads are of 20 gauge steel. The tubes, for the models up to and including the TD-100 are of 14 gauge and the larger units use 12 gauge. The headers in the 20 and 25 are of 14 gauge; the 30 through 70 use 12 gauge; the 80 and 100 use 10 gauge and the larger units use 3/16" steel.

The burners used, if for light oil installation, are either S. T. Johnson or Nu-Way pressure atomizing gun type oil burner. (The above burners have been approved by the Board under their own respective Calendar Numbers).

If the installation is for heavy oil, the burner used is a Cleaver-Brooks air atomizing burner (also approved by the Board).

The controls used in conjunction with the furnace are the Minneapolis-Honeywell Flame Failure Controls; Combination fan and limit control, motor starter, draft proving control and delayed opening prepurge solenoid valves.

Inspection, and Test

Details of construction were inspected by Assistant Engineer J. A. Darts, Committee on Test and E. M. Tarnoff representing the applicant.

Recommendation,

On the basis of the examination and the data filed by the applicant, the Committee on Test, recommends the approval of the appliance known as National Champion Oil Fired Warm Air Heating Units Models TD-20, 25, 30, 40, 50, 75, 100, 125, 175, and 200 for use in New York City, when constructed as herein described and installed in accordance with the requirements of Article 12 Chapter 26 Administrative Building Code and Oil Burner Rules of the Board. The Committee further recommends that when the appliance is installed in garages, the heater shall be so suspended that the bottom of the appliance shall be at least 8'-0" above the floor level and that the combustion air shall be ducted in from the outside air. The Committee further recommends that the appliance shall bear a label, permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 923-53-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

926-53-SA

APPLICANT—National Heater Co., Inc., owner.
SUBJECT—National Champion Floor Type Oil-fired Forced Warm Air Heaters, Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 926-53-SA.

Subject: National Champion Oil Fired Forced Warm Air Furnace Model TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type).

E. M. Tarnoff for National Heater Co. Inc., St. Paul, Minnesota, filed December 23, 1953, an application with the Board of Standards and Appeals for approval of the appliance known as the National Champion Oil Fired Warm Air Furnace, Models TD-20, 25, 40, 50, 70, 80, 100, 125, 150, 175, and 200 (floor type) under the provisions of Article 12 Chapter 26 Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

The appliance is an oil fired floor type warm air furnace.

Description

The heater consists of a stainless steel combustion chamber with tubes located above the chamber, for the return of the flue gases to the firing end of the unit. The combustion

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chamber, in all sizes of the furnace, are constructed of 14 gauge stainless and the casing and discharge heads are of 20 gauge steel. The tubes, for the models up to and including the TD-100 are of 14 gauge and the larger units use 12 gauge. The headers in the 20 and 25 are of 14 gauge; the 30 through 70 use 12 gauge; the 80 and 100 use 10 gauge and the larger units use 3/16" steel.

The burners used, if for light oil installation, are either S. T. Johnson or Nu-Way pressure atomizing gun type oil burner. (The above burners have been approved by the Board under their own respective Calendar Numbers).

If the installation is for heavy oil, the burner used is a Cleaver-Brooks air atomizing burner (as approved by the Board).

The controls used in conjunction with the furnace are the Minneapolis-Honeywell Flame Failure Controls; Combination fan and limit control, motor starter, draft proving control and delayed opening prepurge solenoid valves.

Inspection and Test

Details of construction were inspected by Assistant Engineer J. A. Darts, Committee on Test and E. M. Tarnoff representing the applicant.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as the National Champion Oil Fired Forced Warm Air Furnace Models TD-20, 25, 30, 40, 50, 70, 80, 100, 125, 150, 175 and 200 (floor type) for use in New York City when constructed as herein described and installed in accordance with the requirements of Article 12 Chapter 26 Administrative Building Code and the Oil Burner Rules of the Board for industrial and commercial installation on condition that the appliance shall bear a label, permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 926-53-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

143-54-SM

APPLICANT—United States Plywood Corporation, owner.
SUBJECT—Application reopened September 24, 1957 for amendment of resolution as to bolt throw—re Weldwood 3/4 Hour Door and 1 Hour Fire Resistive Opening Protective Assembly; previously approved.

APPEARANCES—

For Applicant: James A. Fitzpatrick.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 143-54-SM.

Subject: Amendment to resolution as to bolt throw.

United States Plywood Corp. requested by letter dated August 23, 1957 that the resolution adopted June 2, 1954 and amended through February 5, 1957 under Cal. 143-54-SM be amended so as to permit the use of Micarta on the faces of the door and the substitution of 1/2 inch lock throw. The application was reopened by a vote of the Board September 24, 1957.

Report

The door is to be used as a one hour fire resistive opening protective.

Description

The construction of the requested door is basically the same as that previously approved except that the cross-banding of the door will be 1/16 inches to which will be laminated 1/16 Micarta. The applicant also requests that a bolt throw of 1/2 inch on the lock be permitted.

Inspection and Test

The applicant has submitted a letter from the Underwriters Laboratory "R 2876" which states, "The latching mechanism employed in the test assemblies No. R 2876-12 was of the single point design with latch bolts having a 1/2 inch throw of the mortise and bored in design. The assembly performed satisfactorily when provided with these types of single point latches having the 1/2 inch throw as an alternate for the latches heretofore considered essential with the latch bolts having 3/4 inch throw."

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends that the resolution adopted June 2, 1954 and amended through February 5, 1957 under Cal. No. 143-54-SM be amended so as to permit the use of a 1/2 inch throw on a lock as described under Inspection and Test.

The Committee is of the opinion that although the Micarta facing on the door can be classed as a veneer on the face of the door and as C26-667.0.7.a, Administrative Building Code, restricts the use of veneers 1/8 of an inch and precludes its use in required exit corridors. That this veneer in a thickness of 1/16 of an inch may be used over 1/16 of an inch cross banding on the previously approved on condition that the requirements of the resolution adopted June 2, 1954 and as amended through February 5, 1957 under Cal. No. 143-54-SM are complied with.

The Committee further recommends that this resolution shall in no way be construed as a general approval of the material Micarta as a veneering material, without restriction as to its use, but shall be limited to its use on the door of a size as previously approved.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of June 2, 1954 through February 5, 1957 in accordance with the above report.

733-54-SA

APPLICANT—Pantex Manufacturing Corporation, owner.
SUBJECT—Application for consideration, reopening and amendment of resolution as to additional sizes of dry cleaning equipment—re Pantex Perk-O-Matic Dry Cleaning Machine, Model EC (using non-flammable solvent); previously approved.

APPEARANCES—

For Applicant: James Macrae.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

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THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 733-54-SA.

Subject: Reopening and amendment to resolution as to additional sizes of Dry Cleaning Equipment.

Pantex Manufacturing Corp., Pawtucket, Rhode Island, requested by letter dated June 6, 1958 that the resolution adopted December 13, 1955 under Calendar 733-54-SA be amended so as to include additional models of dry cleaning equipment.

Purpose

The appliance is a dry cleaning machine utilizing perchlorethylene as the solvent.

Description

The requested models 35-G and 75-G are basically the same as the model EC; the difference being in the basket size and capacity. The model 35G having a basket size of 30 inches in diameter by 21 inches deep and a capacity of 25 lbs. of dry clothes and the model 75-G having a basket size of 38 inches in diameter by 31 inches deep and a capacity of 57 lbs. of dry clothes.

Recommendation

The committee on Test recommends that the resolution adopted December 13, 1955 under Calendar Number 733-54-SA be reopened and amended so as to include the additional models, namely: 35-G and 75-G, dry cleaning machines, on condition that the requirements of the resolution adopted December 13, 1955 under Calendar Number 733-54-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of December 13, 1955 in accordance with the above report.

734-54-SM

APPLICANT—Seelye, Stevenson, Value and Knecht, for Granco Steel Products Company, owner.

SUBJECT—Application reopened February 11, 1958 for amendment of resolution as to additional gauges of Corruform and Tufcor—re Corruform and Tufcor Steel Deck (fire resistive roof for industrial construction); previously approved.

APPEARANCES—

For Applicant: William A. Faiella.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 734-54-SM

Subject: Amendment to resolution as to additional gauges of Corruform and Tufcor.

Seelye, Stevenson, Value and Knecht for Granco Steel Products Co. Granite City, Illinois requested by letter dated January 24, 1958 that the resolution adopted June 28, 1955 and as amended January 24, 1956 be amended so as to include additional sections of Corruform and Tufcor. The application was reopened by a vote of the Board February 11, 1958.

Purpose

The material is used as an incombustible roof deck.

Description

The material Corruform is a galvanized corrugated steel deck with a corrugation pattern of 2 7/16 inches by 9/16 inches having a moment of inertia of 0.010. inches⁴ per foot of width.

The 26 gauge Tufcor is a galvanized corrugated steel deck with a corrugation pattern of 3 1/2 inches by 7/8 inches having a moment of inertia of 0.073 inches⁴ per foot of width.

The 24 gauge Tufcor is a corrugated steel deck with a corrugation pattern of 4 1/2 inches by 1 5/16 inches having a moment of inertia of 0.089 inches⁴ per foot of width.

Inspection and Test

The material was tested at the Porete Co. plant in New Jersey by the Pittsburgh Testing Laboratory in accordance with the requirements of C26-626.0 Administrative Building Code. The deck was tested with a 2 inch topping of insulating unreinforced concrete.

The results were as follows:

Type	Span	Ult Load	Area under Test	Allow. Load
Corruform	4'-0"	2560	8.6 Sq. Ft.	59.6 p.s.f.
26 ga. Tufcor	6'-0"	5160	15.0 Sq. Ft.	68.6 p.s.f.
24 ga. Tufcor	8'-0"	4460	20.0 Sq. Ft.	44.6 p.s.f.

Allowable load is figured on the basis of the ultimate load divided by the area under test and then divided by a factor of safety of 5 as the construction was tested as a semi continuous span..

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends that the resolution adopted June 28, 1955 and amended January 24, 1956 under Cal. No. 734-54-SM be amended so as to include the additional sections of Corruform and Tufcor as herein described for superimposed loads and spans as set forth above for use in New York City under the provisions of C26-618 and C26-619.0 for roof construction and further the Committee recommends that any other approved concrete may be used as an insulating concrete on top of the Corruform and/or Tufcor and further that all other requirements of the resolution adopted June 28, 1955 and as amended January 24, 1956 be complied with. The Committee is of the opinion that, as the welding to the supporting beams affords lateral bracing, that additional lateral bracing between beams may be dispensed with except on steel joist construction where bridging is required under C26-519-0 Administrative Building Code.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of June 28, 1955 and January 24, 1956 in accordance with the above report.

351-55-SM

APPLICANT—American Air Filter Co., owner.

SUBJECT—Application May 2, 1955—American Air Filter Co., Grease Filter, Types AC, HV, and Range Hood, (all-metal unit for condensing greasy vapors), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

MINUTES

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 351-55-SM.

Subject: American Air Filter Co., Grease Filter Types AC, HV and Range Hood, (all metal unit for condensing greasy vapors).

American Air Filter Co., Louisville, Kentucky, filed May 2, 1955 an application with the Board of Standards and Appeals for approval of the American Air Filter Co., Grease Filter Types AC, HV and Range Hood for use in New York City under the provisions of Sections C26-712.0e and C19-165.3 Administrative Code.

Purpose

Filters for prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The AC and HV range filters are incombustible filters designed for installation in the exhaust systems over kitchen ranges. The filtering media is made of galvanized or stainless wire mesh enclosed in steel channel sections welded together.

They are available in sizes up to 20" x 25" and in thicknesses of 2" or more.

The filters may be cleaned by soaking in a hot solution of detergent in water and then thoroughly dried.

The filters are installed in V type galvanized or stainless frames or in "sidewall" frames or in the hood opening.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the American Air Filter Co. Grease Filter Types AC, HV and Range Hood for use in New York City when installed in accordance with the requirements of sections C26-712.0e and C19-165.3a.b Administrative Code and provided that each filter shall bear a label permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 351-55-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

353-55-SM

APPLICANT—B. Bartholomaeus and Associated, for Air Filter Corp., owner.

SUBJECT—Application May 2, 1955—Airsan Grease Filters and Filter Assembly, Types G, AG, GC and GW, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 353-55-SM.

Subject: Airsan Grease Filters and Filter Assembly, Types G, AG, GC and GW.

Air Filter Corporation, Milwaukee, Wisconsin, filed May 2, 1955 an application with the Board of Standards and Appeals for approval of the Airsan Grease Filters and Filter Assembly, Types G, AG, GC, and GW under the provisions of Sections C26-712.0 and C19-165.3 Administrative Code.

Purpose

Filters for prevention of excessive grease accumulation in kitchen range systems.

Description

The Airsan Grease Filters are incombustible filters designed for installation in the hoods of kitchen range exhaust systems. The filtering media is made up of crimped metallic mesh enclosed in a steel channel frame. The filters are supplied in sizes up to 30" x 25" and a nominal thickness of 2".

The filters are cleaned by soaking in a solution of hot water and suitable detergent, flushing with water and then drying.

GC and GW are filter assemblies made for ceiling mounting and wall mounting, respectively.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Airsan Grease Filters and Filter Assembly Types G, AG, GC and GW for use in New York City when installed in accordance with the requirements of Sections C26-712.0e and C19-165.3ab Administrative Code and provided that each filter shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 353-55-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

770-55-SA

APPLICANT—B. and S. Tool Co., (David Beeber), for Mid-Continent Metal Products Co., owner.

SUBJECT—Application September 13, 1955—Midco Direct-fired Air Heaters, Models 750, 22, 30, 36, 3, 4 and 5, approval of.

APPEARANCES—

For Applicant: David Beeber.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. 770-55-SA.

Subject: Midco Direct Fired Air Heaters. Models 22, 30 and 36.

Mid-Continent Metal Products Co., Chicago, Ill. filed September 13, 1955 an application with the Board of Standards and Appeals for approval of the Midco Direct Fired Air Heaters, Models 22, 30 and 36 under the provisions of Calendar 26-191.0 and Article 12 Administrative Building Code.

Purpose

Drying equipment for water washed rugs.

MINUTES

Description

The Midco Air Heaters are made of welded steel and cast iron. An outer shell of heavy steel encloses an internal combustion chamber. Combustion is completed within this inner cylinder. The outer walls of the combustion chamber are kept cool by the circulating air passing between the inner and outer cylinders. After combustion is completed the resulting hot products of combustion are mixed with the circulating air being pulled into the unit from the outside air by means of a fan.

The gas is burned in inspirator burners arranged in a cylindrical manifold. This multiple tip arrangement allows complete combustion in a relatively small space. A push button electric spark ignited pilot light is used. A flame rod is installed to provide quick gas shut off in case of flame failure. A temperature control is supplied with each unit, also high temperature limit and blower safety controls are provided. Maximum drying room temperature is approximately 140 degrees F., the heated air and combustion gas mixture being supplied to the drying room by means of direct work duct.

An exhaust fan is installed in the dry room exhausting to out-doors to provide a positive flow through the drying space without leakage into the surrounding area.

The model 22 has a rated input of 650,000 Btu per hour, the model 30, 1,200,000 Btu per hour and the model 36, 1,800,000 Btu per hour.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Midco Direct Fired Air Heater Models 22, 30 and 36 for use in New York City when installed in accordance with this report and the provisions of Article 12 Administrative Building Code provided that each heater shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 770-55-SA" and further provided that the drying room will be constructed with masonry walls at least 8 inches in thickness with incombustible ceiling and floor and all entrances into such room to be protected with approved opening protective assemblies with a 1½ hour rating. Such protective assemblies not to be provided with any locking devices.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

694-56-SA

APPLICANT—Charles M. Shapiro, for Manhattan Blower Corp., owner.

SUBJECT—Application September 9, 1956 — Manhattan Gas-fired Industrial Paint Drying Oven, approval of.

APPEARANCES—

For Applicant: Elliot J. Shapiro.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3
Negative: Commissioner Kleinert and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 694-56-SA.

Subject: Manhattan Gas Fired Industrial Paint Drying Oven.

C. M. Shapiro for Manhattan Blower Corp., Brooklyn, New York, filed September 19, 1956 an application with the Board of Standards and Appeals for approval of the Appliance known as the Manhattan Gas Fired Industrial Paint Drying Oven under the provisions of the Paint Spraying Rules of the Board.

Purpose

The oven is used for the drying of paints, enamel and lacquers.

Description

The ovens are either of the batch or conveyor type and have the following major components: the heater and main circulating exhaust fan; oven, auxiliary exhaust fan and duct work and control system.

Heater: The ovens are equipped with Dispatch Direct Gas Fired Heaters with either atmospheric or low pressure burners. The heater is cylindrical in shape and consists of an inner and outer steel shell with rock wool insulation filler. Within the inner shell is a refractory lined combustion chamber and combustion baffles. A 40-40 mesh stainless steel screen is placed in the duct work between the heater and the oven. The screen is placed far enough from the heater combustion chamber so as not to have flame impingement. The heater may be mounted on either the top, bottom or side of the oven.

Oven: The ovens are constructed, in various sizes and shapes of 18 gauge steel double cased panels insulated with fiber glass and supported with angle iron framing. Heated air supply ducts are located on either the oven deck, top or sides. The recirculating and exhaust ducts are located on the oven top, sides or deck, depending on the location of the heated air supply ducts. The auxiliary exhaust fans exhaust about 1/3 of the air, circulating in the system, to the outer air. Conveyor type ovens have no doors, but openings through which the conveyor belts pass. Conveyor ovens have access doors in sides, top or bottom. The ovens may rest on floor, columns or may be suspended from overhead supports.

Controls: The automatic combustion control system which enables the oven to operate safely and automatically consists of the following: Two Low-Vac switches, one connected to the suction side of the auxiliary exhaust fan and the other connected to the recirculating exhaust fan. A main gas line normally closed solenoid valves. Two gas lines normally closed solenoid valves. A high voltage ignition transformer. An indicating temperature control and a high temperature cutout. A combustion controller and fire screen actuated limit switch.

The above listed controls are so interlocked with the gas supply lines that when the gas is flowing, the fans are in operation and the fire screen is in place. Provision is made to permit the operation of the fans when the gas supply is off. Should the pilot light flame be extinguished, the pilot gas solenoid valve will close as well as the main gas line and the pilot gas line will close, shutting down the oven. An auxiliary manual gas shut-off valve is located at a minimum distance of 25'-0" from the oven.

Inspection and Test

The oven was inspected by Asst. Engr. J. A. Darts, Committee on Test, at 225 42nd Street, Brooklyn, New York. The oven operated as designed and controls operated as required.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as the Manhattan Gas Fired Industrial Paint Drying Oven for use in New York City when constructed as herein described and installed in accordance with the requirements of the Paint Spraying Rules of the Board on condition that each oven bear a label, permanently affixed, reading: "Approved by the Board of

MINUTES

Standards and Appeals for use in New York City under Calendar Number 694-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

885-56-SA

APPLICANT—Dualheet Inc., owner.
SUBJECT—Application December 19, 1956—Dualheet Paint Heater, Model 125, approval of.

APPEARANCES—

For Applicant: N. A. Arvins.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 885-56-SA.

Subject: Dualheet Paint Heater Model 125.

A. A. Arvintz for Dualheet Inc., Cleveland, Ohio filed December 19, 1956 an application with the Board of Standards and Appeals for approval of the appliance known as the Dualheet Paint Heater Model 125, under the provisions of the Paint Spraying Rules of the Board.

Purpose

The appliance is intended to preheat paint being fed to paint spray guns.

Description

The paint preheater is a unit 3 inches in diameter by 11 inches long and is powered by one 1250 watt Calrod tubular element which is cast into an aluminum casting; this casting serves the purpose of transferring heat from the element to the paint. The shell also encloses the paint tract which is also cast into the same casing, this tract is mounted on a fitting which screws into the paint tract cavity, the opening of which is located at the bottom of the paint heater. At the top of the paint heater is mounted an Underwriters Laboratory Approved explosion proof junction box which forms the thermostat and wire terminal closure. The thermostat is fastened to the aluminum casting and this thermostat which is designed to control the heat of the casting is mounted within the junction box. As the paint preheater is designed to operate at a maximum temperature of 165 degrees F and a fusible link is placed within the junction box which will melt out if the temperature is excessive or if the thermostat should fail while in the "On" position.

Paint is delivered to the heater by means of a pressurized vessel and paint hose. Paint hose is connected from the spray gun to the paint heater thus making one continuous passage of paint from the vessel to the gun. The preheater heats the paint in its travel through the preheater to the gun. An air tract is also placed in the same casting which houses the paint tract thereby heating both paint and air. This gives the choice of using the air tract to heat atomizing air or to use this heated air to heat an ambient in which the paint hose from the heater to the gun is placed. This ambient can be created by the paint hose being placed within a rubber tube.

Inspection and Test

The preheater was tested at 123 DeKalb Ave., Brooklyn, N. Y., by Ass't. Engr. J. A. Darts. The appliance functioned as designed.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the Dualheet Paint Heater, Model 125 for use in New York City when constructed as herein described and operated in accordance with the Paint Spraying Rules of the Board on condition that the appliance bear a label permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 885-56-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

41-57-SA

APPLICANT—Orr and Sembower Inc., owner.
SUBJECT—Application October 25, 1957—Power-Pak Packaged Steam or Hot Water Generator (gas-fired), Model 2, approval of.

APPEARANCES—

For Applicant: Paul E. O'Hora.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar No. 4-57-SA.

Subject: Power-Pak Packaged Steam or Hot Water Generator—Gas Fired—Model 2.

Orr and Sembower Inc., Reading, Penn., owner-manufacturer, filed October 25, 1956 an application with the Board of Standards and Appeals for approval of the Power-Pak Packaged Steam or Hot Water Generator—Gas Fired—Model 2, for use in New York City under the provisions of C26-191.0 and Article 12 Administrative Building Code.

Purpose

Gas fired steam or hot water generators for industrial and commercial use.

Description

The Power-Pak is a completely assembled packaged boiler consisting of the pressure vessel, gas burner, blower, combustion safeguard and standard limit controls.

The unit has water cooled sides, rear and bottom. The pressure vessel is a steel plate boiler consisting of a large combustion tube and one pass of fire tubes. The combustion tube is partially refractory lined on ends and sides. The pressure vessel is designed and constructed in accordance with the ASME pressure code for operating pressures of 15 psig. steam and 30 psig. hot water. The pressure vessel is equipped with the necessary relief valves, water column connections, feed connections, blow down connections and gauge connections.

The Power-Pak is equipped with a forced draft blower and a premix type gas burner designed for low gas pressures with gas pilot ignition. An electronic combustion safeguard—photocell—is provided as standard equipment.

The burner operation is controlled through the use of an integrally mounted high limit control—pressure on steam units, temperature on hot water units—low water cutoff control, flame failure control and air fuel interlock.

MINUTES

The firing rates for the various Power-Paks are as follows:

Boiler HP.	Gas Firing Rate CF/hr 1000Btu/cu.ft.
8	357
15	669
20	893
25	1116

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The model 2 gas fired Power-Pak boilers have been tested and approved by the Underwriters Laboratories under file MP 1434.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Power-Pak Packaged Steam or Hot Water Generator—Gas Fired—Model 2 when installed in accordance with this report and Article 12 Administrative Building Code provided that all electrical work will conform to the Electrical Code of the City of New York and further that each unit shall bear a label, permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar No. 41-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,

GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

42-57-SA

APPLICANT—Orr and Sembower, Inc., owner.
SUBJECT—Application October 25, 1956—Power-Pak Packaged Steam or Hot Water Generator (oil-fired), Model 2, approval of.

APPEARANCES—

For Applicant: Paul E. O'Hora.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 42-57-SA.

Subject: Power-Pak Packaged Steam or Hot Water Generator (oil-fired) Model 2.

Orr and Sembower Inc., Reading, Penn. (owner manufacturer), filed October 25, 1956 an application with the Board of Standards and Appeals for approval of the Power-Pak packaged Steam or Hot Water Generator (oil fired) Model 2, for use in New York City under the provisions of Article 12 Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

Oil Fired steam or hot water generators for industrial and commercial use.

Description

The Power-Pak is a completely assembled packaged boiler consisting of the pressure vessel, oil burner, combustion safeguard and standard limit controls.

The unit has water cooled sides, rear and bottom. The pressure vessel is a steel plate boiler consisting of a large combustion tube and one pass of fire tubes. The combustion tube is partially refractory lined on ends and sides. The pressure vessel is designed and constructed in accordance with the ASME pressure code for operating pressures of 15 psig. steam and 30 psig. hot water. The pressure vessel is equipped with the necessary relief values, water column connections, feed connections, blow down connections and gauge connections.

The Power-Pak is equipped with a forced draft blower and an oil burner of the pressure atomizing type with direct electric ignition. The burner is designed for number 2 fuel oil. Either a stack switch or, as optional equipment, an electronic control is provided as a combustion safeguard.

The burner operation is controlled through the use of an integrally mounted high limit control (pressure on steam units, temperature on hot water units) low water cut-off control, flame failure control and air fuel interlock.

The firing rates for the different size Power-Paks are as follows:

Boiler H.P.	Oil Firing Rate gallons per hour
8	2.6
15	4.7
20	6.3
25	7.9

Inspection and Test

All details of construction was examined by Ass't Engr. G. F. Sklenarik, Committee on Test.

The Model 2 oil fired Power-Pak boilers have been tested and approved by the Underwriters Laboratories under file MP 1434.

Recommendation

On the basis of the examination and the data filed by the applicant The Committee on Test recommends the approval of the Power-Pak Packaged Steam or Hot Water Generator (Oil Fired) Model 2, when installed in accordance with this report, Article 12 Administrative Building Code and the Oil Burner Rules of the Board, provided that all electrical work will conform to the Electrical Code of the City of New York and further that each unit shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals, for use in New York City under Cal. No. 42-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.

GEORGE F. SKLENARIK,
Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

261-57-SA

APPLICANT—Dunkirk Radiator Corp., owner.
SUBJECT—Application March 21, 1957—Blue Circle Gas-fired Boiler, Models DW4, DW6 and DW8, approval of.

APPEARANCES—

For Applicant: L. G. LePack.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Folcy and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

MINUTES

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 261-57-SA.

Subject: Blue Circle Gas Fired Boiler, Models DW4, DW6, and DW8.

Dunkirk Radiator Corporation, Dunkirk, N. Y., owner-manufacturer, filed March 21, 1957 an application with the Board of Standards and Appeals for approval of the Blue Circle Gas Fired Boiler, Models DW4, DW6 and DW8 for use in New York City under the provisions of Article 12 Administrative Building Code.

Purpose

Gas fired boilers for residential and commercial hot water heating systems.

Description

These are cast iron sectional boilers with water cooled base. They are enclosed in a sheet steel housing finished in a two tone baked on enamel.

The burner is an atmospheric jet type arranged so that the flame strikes a chrome alloy flame spreader. The combustion gases pass upward between the boiler section passages to the flue collector at the top where a flue connection with draft diverter are provided.

The controls used are an automatic gas valve and transformer, safety pilot, gas pressure regulator, main shut off valve, pilot shut-off valve and high temperature limit control immersion type aquastat.

The heat input ratings of the 4, 6, 8 section boilers are as follows:

Model Number	Input Rating Btu per hour
DW 4	78,000
DW 6	115,000
DW 8	150,000

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The Blue Circle Gas Fired Boilers have been tested and approved by the American Gas Association for natural, manufactured or mixed gas under certificates 4-1152.001-A, 4-1152.111-A and 4-1152.201A.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Blue Circle Gas-Fired Boiler, Models DW4, DW6 and DW8 for use in New York City when installed in accordance with this report and Article 12 Administrative Building Code including the clearance requirements set forth therein; all electrical work to conform to the Electrical Code of the City of New York and provided that each boiler shall bear a label, permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 261-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

273-57-SA

APPLICANT—McGraw-Edison Co., Clark Division, owner.
SUBJECT—Application March 25, 1957—Toastmaster and Tropic-Aire Gas-Fired Water Heaters, approval of.

APPEARANCES—

For Applicant: George Ross and H. Remmke.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 273-57-SA.

Subject: Toastmaster and Tropic-Aire Gas Fired Water Heaters.

McGraw-Edison Co.—Clark Division, Chicago, Illinois, filed March 25, 1957 an application with the Board of Standards and Appeals for approval of their Toastmaster and Tropic-Aire Model Gas Fired Water Heaters for use in New York City under the provisions of section C26-191.0 and Article 12, Administrative Building Code.

Purpose

Gas fired hot water heaters for domestic and commercial use designed for flue connection.

Description

The Toastmaster and Tropic-Aire gas water heaters are identical in construction and operation, the only difference being in trade name and model designation.

The units are equipped with either a galvanized steel tank or a steel tank with an interior porcelain coating designated as "glass-lined". Galvanized tank models are available in 20, 30 and 45 gallon capacities. The glass lined models in 30 and 45 gallon capacities. A magnesium rod is installed inside of all glass lined models for corrosion protection.

The tanks are encased in Fiberglass insulation and enclosed in a sheet metal jacket finished in baked enamel.

The gas burner and venturi-mixer tube are of cast iron and designed to burn upward through an internal flue. A thermostat and 100% safety pilot are used on each unit.

A draft diverter is supplied with each unit.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The Toastmaster models 20T, 30T, 45T and the Tropic-Aire Models T20, T30 and T45 were tested and approved by the American Gas Association for national, manufactured, mixed or liquified petroleum gas.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Toastmaster Gas Fired Models 20T, 30T, 45T and the Tropic-Aire Gas Fired Models T20, T30, T45 for use in New York City when installed in accordance with this report and Article 12 of the Administrative Building Code and provided that each heater shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 273-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

MINUTES

301-57-SA

APPLICANT—McGraw-Edison Co., Clark Division, owner.
SUBJECT—Application March 27, 1957—Toastmaster and Tropic-Aire Automatic Electric Water Heaters, approval of.

APPEARANCES—

For Applicant: George Ross and H. Rimmke.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 301-57-SA.

Subject: Toastmaster and Tropic-Aire Automatic Electric Water Heaters.

McGraw-Edison Co.—Clark Division, Chicago, Illinois, filed March 27, 1957 an application with the Board of Standards and Appeals for approval of their Toastmaster and Tropic-Aire Automatic Electric Water Heaters for use in New York City under the provisions of C26.191.0 Administrative Building Code.

Purpose

Electrical water heaters for domestic and commercial use.

Description

Toastmaster and Tropic-Aire Electric Water Heaters are similar in construction and operation. The units are equipped with either a galvanized steel tank or steel tank with interior porcelain coating designed as "gas-lined". Tanks are fitted with a water inlet and outlet, heating elements, thermostats and the necessary connecting wires. The tanks are enclosed in Fiberglas insulation and encased in a sheet metal jacket finished in baked enamel. A magnesium rod is installed inside the tanks of all glass lined models for added corrosion protection.

All units are designed for operation on 220-240 volt, 60 cycle single phase alternating current. Heating elements are applied externally to the tank and may be removed and replaced through inspection openings provided in the outer jacket. The heating elements are band type consisting of nichrome resistance wire insulated between mica strips and enclosed in a metal sheath. Units are available with one or two heating elements.

The Toastmaster and Tropic-Aire units are made with unlined tanks in a cylindrical housing with water capacities ranging from 30 to 120 gallons, with glass lined tanks they are made in 40, 50 and 82 gallon capacities. These heaters are also made as "tabletop" models which have outer casings measuring 24 by 25 inches in width and depth and 36 inches in height. They are made with water capacities of 30, 40 and 50 gallons for unlined tanks and with 40 gallons capacity for glass lined tanks.

The maximum wattage of heating elements supplied with tabletop models is 4500 watts; on 30 gallon round models it is 3500 watts. On the 40 gallon through 82 gallon round units the maximum is 4500 watts per element and the 100 and 120 gallon units have maximum of 6500 watts.

Inspection and Test

All details were examined by Ass't. Engr. G. F. Sklenarik, Committee on Test.

The Toastmaster and Tropic-Aire Electric Water Heaters have been approved by the Underwriters Laboratories.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the

approval of the Toastmaster and Tropic-Aire Automatic Electric Water Heaters for use in New York City when installed in accordance with this report and the Electrical Code of the City of New York and provided that each such heater shall bear a label, permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 301-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

412-57-SM

APPLICANT—H. P. Ladde, for The National Screw and Manufacturing Co., owner.

SUBJECT—Application May 14, 1957—The National Screw and Manufacturing Co., High Strength Structural Bolts, approval of.

APPEARANCES—

For Applicant: Glenn L. Money.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 412-57-SM.

Subject: National Screw and Manufacturing Co., High Strength Structural Bolts.

The National Screw and Manufacturing Co., Cleveland, Ohio filed May 14, 1957 an application with the Board of Standards and Appeals for approval of the material known as National Screw and Manufacturing Co. High Strength Structural Bolts under the provisions of C26-322.0, C26-368.0, C26-520.0 and C26-521.0 Administrative Building Code.

Purpose

The material is a bolt for fastening structural steel.

Description

The bolts, nuts and washers are manufactured in conformity with the requirements of the Specification of Quenched and Tempered Steel Bolts and Studs with Suitable Nuts and Hardened Steel Washers (ASTM A325). The bolts are identified by marking on the top of the head with three radial lines. The chemical composition of the bolts, nuts and washers is as follows:

Chemical Composition	Bolts	Nuts	Washers
			Carburized & Tempered
Carbon	0.30 Min.		0.25 Max.
Manganese	0.30 Min.		1.00 Max.
Phosphorus	0.048 Max.	0.13 Max.	0.048 Max. 0.048 Max.
Sulfur	0.058 Max.	0.23 Max.	0.058 Max. 0.058 Max.

Inspection and Test

The material was tested in accordance with requirements of ASTM A325 and were found to comply.

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Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as National Screw and Manufacturing Co. High Strength Structural Bolts for structural steel, for use in New York City under the provisions of C26-322.0, C26-368.0, C26-520.0 and C26-521.0 Administrative Building Code as amended by Local Laws 107, 108, 109, and 110 of 1955 on condition that all bolts, studs, nuts and washers shall comply with the requirements of ASTM-A325 and further that all containers or cartons in which the material is to be marketed shall be tagged, stamped or labeled as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 412-57-SM and further that each bolt shall be identified with the marking herein described.

The Committee further recommends that when the High Strength Bolts are used in construction the following conditions shall apply:

Torque shall be sufficient to provide an average stress on the bolt at least fifteen percent in excess of the minimum required bolt tension specified in subdivision d4 of Section C26-520.0.

The parts to be bolted shall be brought tightly together by sufficient high-strength bolts used as fitting-up bolts.

Bolts shall then be installed in the remaining holes and their nuts shall be made finger tight, which shall mean tightened firmly by hand or spud wrench only, without the use of torque or impact wrenches.

After the nuts have been made finger tight, each nut shall be given one complete turn to tighten the bolt.

The fitting-up bolts shall be then loosened and the nuts thereon shall be retightened finger tight. Each nut shall then be given one complete turn.

Bolts shall not be forced into holes. Holes out of alignment shall be drilled or reamed.

Impact wrenches shall be regulated so as to produce one turn of the nut on the bolts in place, in approximately ten seconds.

The tightness of the bolts may be tested by turning the nuts one-sixteenth of a turn tighter with a torque wrench and measuring the resulting torque. The torques on the nuts shall not be less than shown in column 4 of the following table for the size of the bolt.

Sufficient bolts shall be checked to determine whether the required tightness has been obtained.

Bolt Tension and Torque Values.

1	2	3	4
Bolt Size Inches	Bolt Tension for Calibrating Wrenches lb.	Required Min. Bolt Tension Pounds	Approx. Equiv. Torque for required Min. Bolt Ten- sion pound-feet
½	12,500	10,850	90
⅝	20,000	17,250	180
¾	29,000	25,600	320
⅞	37,000	32,400	470
1	49,000	42,500	710
1⅝	58,000	50,800	960
1¾	74,000	64,500	1,350

Nuts may be tightened by calibrated wrenches in place of giving each nut one turn. In such case, wrenches shall be calibrated not less than once each day by means of an approved calibrating and tension measuring device. The wrench shall be calibrated for the tension specified for the size of bolt in Column 2 of the table.

Where threads of bolts are injured, or the bolt is damaged in any way, the bolt shall be removed and replaced.

The installation of high-strength bolts shall be supervised by a licensed professional engineer or registered architect employed by the owner and acceptable to the Commissioner, to insure that high-strength bolts are installed

according to the design and code requirements. Such acceptability shall not be unreasonably withheld. Upon the completion of the installation of the high strength bolts, the licensed engineer or registered architect shall file a statement with the department, in a manner determined by the Commissioner, that the installation of the bolts was in accordance with the requirements of the Administrative Code, and the design.

The licensed professional engineer or registered architect or his representative shall be present at all times when high strength bolts are installed. He shall observe whether the bolts are installed in compliance with the Administrative Code and this recommendation and wherever bolts do not conform to the code and he shall direct that such bolts be replaced or shall promptly report in writing such improperly installed bolts to the Borough Superintendent and the contractor.

Upon completion of the installation of the high strength bolts, the licensed professional engineer or registered architect shall file a sworn statement in affidavit form, that the bolts were installed in accordance with the requirements of the Administrative Code and of this recommendation, unless the bolts were not so installed in which case the Borough Superintendent shall be advised in writing of the manner in which the bolts were not properly installed.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

421-57-SM

APPLICANT—Charles M. Spindler, for Parkchester Glass Co., owner.

SUBJECT—Application March 25, 1957—Parkline Window, ¾-hour test, approval of.

APPEARANCES—

For Applicant: Robert J. Crinnion.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 421-57-SM.

Subject: Parkline Window, ¾ hour.

R. J. Crinnion for Parkchester Glass Co. Bronx, New York filed March 25, 1957 an application with the Board of Standards and Appeals for approval of the Parkline Window under the provisions of C26-1780 and Sub Article 7, Article 11 Chapter 26 Administrative Building Code when subjected to the fire and hose stream test as provided under C26-579.0 through C26-586.0 and C26-610.0 Administrative Building Code.

Purpose

The window is a ¾ hour fire resistive opening protective assembly.

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Description

The window, 3'-0" wide by 5'-1" in height, consisted of a fixed upper sash and a operable lower sash. The lower sash is operated by a steel spring balance equipped with an approved Underwriters fusible link engaging slots in the jamb and head frame.

The frame is constructed of No. 18 gauge sheet steel with a No. 16 gauge sill and a No. 22 gauge cover box to house the spring balance mechanism.

The window is glazed with 12 lights of $\frac{1}{4}$ inch wired glass. The lights were 10 inches by $13\frac{3}{8}$ inches in size set in putty with $\frac{5}{8}$ x $\frac{5}{8}$ inch No. 18 gauge glazing beads attached to 2 by $\frac{1}{4}$ inch muntin bars with steel bolts 6 inches on center.

Inspection and Test

The window was tested at Protexol Laboratory in the presence of Asst. Eng. J. A. Darts and G. F. Sklenarik, Committee on Test. At the end of the fire test the window was subjected to a hose stream test as required.

The impact of the hose stream dislodged approximately 19% of the lights but the sash was not affected. Section C26-610.0 Administrative Building Code, requires duration of the hose stream to be 1 minute per 100 square feet of surface area. The window tested had $15\frac{1}{4}$ square feet of area which would require about 10 seconds of hose stream application. As the lights were dislodged in the final seconds of the hose stream, which was applied for 1 min., the window successfully met the requirements.

Recommendation

On the basis of the foregoing data and the inspection and test. The Committee on Test recommends the approval of the Parkline Window for use wherever a fire-resistive opening protective assembly (fire-window) is required as provided in Sub Article 7, Article 11 Chapter 26. (Protection of Exterior Openings) on condition that the window is constructed as herein described and that all inspection, labeling and other pertinent requirements of the Boards Rules for the Inspection of Opening Protective Assemblies are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

483-57-SA

APPLICANT—Eureka Williams Corporation, owner.

SUBJECT—Application June 5, 1957—Eureka Williams-Oil-O-Matic Furnaces, Models LHO-84 and LHO-84B, approval of.

APPEARANCES—

For Applicant: Frank Brown.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 483-57-SA.

Subject: Eureka Williams Oil-O-Matic Furnaces, Models LHO-84 and LHO-84B.

Eureka Williams Corporation of Bloomington, Illinois filed June 5, 1957 an application with the Board of Standards and Appeals for approval of the Eureka Williams Oil-O-Matic Furnaces, Models LHO-84 and LHO-84B for use in New York City under the provisions of the Oil Burner Rules of the Board.

Purpose

Oil fired warm air furnaces for residential and commercial use.

Description

The Eureka Williams Oil-O-Matic LHO-84 Furnace is a package unit made up with a gun type burner, refractory lined combustion chamber, 14 gauge steel heat exchanger, a direct driven blower fan and air filter. The blower fan has a speed adjustment.

The entire assembly is encased in a sheet steel cabinet insulated with aluminum foil faced asbestos and finished in a baked on enamel.

The burner is flange connected to the exterior of the furnace and a flue connection is provided near the top in the front panel. The burner is designed to burn No. 2 fuel oil at a rate of .75 gallon per hour.

The controls used consist of a thermostat for automatic operation, a combustion fan and limit control 200 degrees F. maximum temperature, a stack switch for shut down in case of flame failure and an automatic draft regulator.

The model LHO-84B is a similar furnace except that the blower fan is belt driven with no provision made for variable speed.

Inspection and Test

All details of construction were examined by Ass't. Engr. G. F. Sklenarik, Committee on Test.

The model LHO-84 furnace has been tested and approved by the Underwriters Laboratories under file MP-2474A.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Eureka Williams Oil-O-Matic Furnace Models LHO-84 and LHO-84B for use in New York City when installed with an approved oil burner designed for No. 2 fuel oil and with a firing rate not in excess of .75 gallon per hour and also in accordance with the Oil Burner Rules of the Board, provided that each furnace shall bear a label, permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 483-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

488-57-SA

APPLICANT—Eureka Williams Corp., owner.

SUBJECT—Application June 19, 1957—Williams Oil-O-Matic Low Pressure Oil Burners, Models K-4.5 and K-7, approval of.

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APPEARANCES—

FOR Applicant: Frank Brown.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 488-57-SA.

Subject: Williams Oil-O-Matic Low Pressure Oil Burner Models K-4.5 and K-7.

Eureka Williams Corp., Bloomington, Illinois, owner-manufacturer filed June 19, 1957 an application with the Board of Standards and Appeals for approval of the Williams Oil-O-Matic Low Pressure Oil Burner Models K-4.5 and K-7 for use in New York City under the provisions of the Oil Burner Rules of the Board.

Purpose

Conversion type oil burners for furnace and boiler applications.

Description

The Williams Oil-O-Matic Low Pressure Burner is a gun type burner that operates on low oil pressure. The oil and some combustion air are mixed in the burner at the oil metering unit, forced through the oil tube and ejected through the nozzle in a fine spray. Oil nozzle opening is relatively large compared to a high pressure burner and operating pressures range from 2½ to 3 psi. Electric ignition is provided at the nozzle opening.

The burners are designed to burn No. 2 fuel oil, the K-4.5 from 2½ to 4½ gallons per hour and the K-7 from 4 to 7 gallons per hour. Both models are pedestal mounted.

These burners are to be installed with a primary safety control to shut down in case of ignition or flame failure.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The Williams Oil-O-Matic Low Pressure Oil Burner Models K-4.5 and K-7 were tested and approved by the Underwriters Laboratories file MP 102 and MP 1133.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends that the Williams Oil-O-Matic Low Pressure Burner, Models K-4.5 and K-7 be approved for use in New York City when installed in accordance with this report and the Oil Burner Rules of the Board provided each burner shall bear a label permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 488-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

504-57-SA

APPLICANT—Eureka Williams Corporation, owner.

SUBJECT—Eureka Williams Gas-O-Matic Furnaces, Models LHG-105, LHG-105-B, approval of.

APPEARANCES—

For Applicant: Frank Brown.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re. Cal. No. 504-57-SA.

Subject: Eureka Williams Gas-O-Matic Furnaces, Models LHG-105, LHG-105B.

Eureka Williams Corporation, Bloomington, Illinois, filed June 6, 1957 an appliance with the Board of Standards and Appeals for approval of the Eureka Williams Gas-O-Matic Furnaces, Models LHG-105 and LHG-105B for use in New York City under the provisions of Article 12, Chapter 26, Administrative Code.

Purpose

A gas fired warm air furnace for domestic heating.

Description

The Eureka Williams Gas-O-Matic Furnaces, rated at 105,000 Btu per hour input, consist of a single large port burner with flame spreader firing into a precast refracting lined 14 gauge steel combustion chamber over which is a steel heat exchanger.

A blower compartment is provided beneath the burner section and contains a set of filters and blower motor direct connected to a centrifugal fan. The fan is adjustable for variation of speed. The LHG-105B model has a belt driven fan instead of direct drive.

The unit is factory assembled and wired and is enclosed in a sheet steel casing insulated with foil faced fibreglas and cellular asbestos. The casing is finished in a baked enamel. Removable panels are provided for access to the interior.

Controls and equipment consist of a combination main gas valve and automatic pilot valve for 100% shut off in case of flame failure, a fan and limit switch, transformer, pressure regulator and draft hood.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The LHG-105 and LHG-105B models have been tested and approved by the American Gas Association for natural, manufactured, mixed and liquefied petroleum gases.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Eureka Williams Gas-O-Matic Furnaces, Models LHG-105 and LHG-105B for use in New York City when installed in accordance with this report and the provisions of Article 12 Administrative Building Code including the clearance requirements set forth therein provided that each such furnace shall bear a label, permanently affixed, reading "Approved by the Board of Standards and

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Appeals for use in New York City under Cal. No. 504-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

623-57-SM

APPLICANT—Fimbel Sales Co., Agent, for Straits Products, Inc., owner.

SUBJECT—Application June 17, 1957—Straits Accordion Doors, approval of.

APPEARANCES—

For Applicant: David R. Keegan.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 623-57-SM.

Subject: Straits Accordion Doors.

Fimbel Sales Co., New York, for Straits Products, Inc., Detroit, Michigan, filed June 17, 1957 an application with the Board of Standards and Appeals for approval of the Straits Accordion Door under the provisions of C26-726.0 Administrative Building Code and Section 33.3d of the Multiple Dwelling Law.

Purpose

The door is a folding partition type door.

Description

The doors are full accordion type with rust resistant frame and covered with fabric. Hinges are provided top and bottom and connected by cold rolled galvanized steel round rods, intermediate hinges are provided on all doors 7'-6" high or higher to insure positive operation of all folds. The assembled frame is supported by a roller assembly that travels on an overhead track. The trolley assembly consists of two nylon wheels, operating on cold rolled steel axles and secured in place with a double nut at base of hinges assembly.

The frame of the door is covered with Terson (approved by Board under Calendar Number 334-56-SM, October 9, 1956). The covering is attached to the frame at top and bottom by sewing a heavy webbing to the fabric and attaching thereto an automatic fastener which impinges on a special clip on the frame work.

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test, and it was noted that the door operated as designed.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the

approval of the Straits Accordion Doors for use in New York City, when constructed as herein described and when the covers used are of a material described as Terson 4212 FRS-MRS (approved by the Board October 9, 1956 under Cal. No. 334-56-SM), under the provisions of C26-726.0 Administrative Building Code.

The Committee further recommends that the doors may be used in all classes of construction in locations wherein a fire resistive door is not required and also as a partition or space divider when the partition is not required to be either an hourly rated or incombustible partition as defined under C26-636.0 Administrative Building Code.

The Committee further recommends that this door may be used under the provisions of Section 33.3d of the Multiple Dwelling Law and that all doors shall bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 623-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

681-57-SM

APPLICANT—Tectum Corporation, owner.

SUBJECT—Application August 14, 1957—Tectum Slabs (3 inch or more thickness) approval of.

APPEARANCES—

For Applicant: Harold Perrine.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 681-57-SM.

Subject: Tectum Slabs Nonbearing Partition.

H. Perrine for Tectum Corp., Newark, Ohio filed August 14, 1957 an application with the Board of Standards and Appeals for approval of the material known as Tectum Slabs, non bearing partition under the provisions of C26-633.0 Administrative Building Code.

Purpose

The material is to be used as three hour fire resistive non-load bearing partition.

Description

The material, Tectum, is made of wood excelsior coated and cemented together with a binder to form slabs with faces and ends flat and parallel and the edges formed with tongue and groove.

The plank is then plastered with perlite gypsum plaster.

Inspection and Test

The partition, constructed as herein described was tested at the Underwriters Laboratories, in accordance with the re-

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quirements of C26-591.0 and C26-592.0 Administrative Building Code.

The construction was as follows:

The slabs were installed in the test furnace and the tongue and groove points between the slabs were not sealed with mortar but the points between the slabs were covered with 4 inch wide ribbed lath and fastened on each side of the point with $\frac{3}{4}$ inch roofing nails spaced 6 inches on center. A $\frac{3}{4}$ inch three coal perlite gypsum plaster was then applied to each face of the slab. The mix of the plaster was 100 lbs. of gypsum to 3 cu. ft. of perlite.

The partition was tested at the Underwriters Laboratories and successfully met the requirements of the fire and hose stream as a three hour fire resistive non-load bearing partition. The complete report Retardant 3472, is on file with and is part of the record.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the Tectum Slab, 3 inch in thickness as a component part of a 3 hour fire resistive non load bearing partition when constructed as herein described with the joints covered by four inch wide ribbed lath and both faces protected with $\frac{3}{4}$ inch of gypsum-perlite plaster of a mix of 100 lbs. of gypsum to 3 cu. ft. of perlite for use in New York City under the provision of C26-663.0, C26-634.0, C26-634.0, C26-636, C26-637, and C26-638.0 Administrative Building Code on condition that plans filed with the Department of Buildings showing the proposed use of this construction shall be stamped "Approved by the Board of Standards and Appeals for use in New York City under Calendar No. 681-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

682-57-SM

APPLICANT—Tectum Corporation, owner.

SUBJECT—Application August 14, 1957—Tectum Slabs (2 inch or more in thickness) for use in construction of non-bearing subdividing), approval of.

APPEARANCES—

For Applicant: Harold Perrine.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 682-57-SM.

Subject: Tectum Slab 2 inch or more in thickness, incombustible non-bearing subdividing partition.

H. Perrine for Tectum Corporation, Newark, Ohio, filed August 14, 1957 an application with the Board of Standards and Appeals for approval of the material Tectum Slab, 2

inches or more in thickness, as a subdividing partition under the provision of C26-88.0 and C26-667.0.5 Administrative Building Code.

Purpose

The slabs are to be used as an incombustible subdividing partition.

Description

The material is made of wood excelsior coated and cemented together with a binder to form slabs with faces and ends flat and parallel and the edges formed with tongue and groove. The plank has been approved by the Board under Cal. No. 389-52-SM and 391-52-SM as an incombustible roof plank and as an incombustible tile. The slabs are installed in steel floor and ceiling channels. The Tectum is fastened to the channels by self tapping screws of a length suitable to penetrate the thickness of the slab.

Inspection and Test

The material was tested in accordance with the requirements of C26-88.0 Administrative Building Code and was found to be incombustible.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Tectum Slab, 2 inch or more in thickness, unplastered, for use as an incombustible subdividing partition under the provisions of C26-667.0.5. Administrative Building Code on condition that each carton or wrapper in which the material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 682-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

683-57-SM

APPLICANT—Tectum Corporation, owner.

SUBJECT—Application August 14, 1957—Tectum Slabs $2\frac{1}{2}$ inch and more in thickness (for use in construction of composite panel, spandrel and apron walls and fire walls), approval of.

APPEARANCES—

For Applicant: Harold Perrine.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 683-57-SM.

Subject: Tectum Slab $2\frac{1}{2}$ inch Minimum Thickness, composite panel, spandrel and apron wall.

MINUTES

Harold Perrine for Tectum Corp., Newark, Ohio filed August 14, 1957 an application with the Board of Standards and Appeals for approval of the material known as Tectum Slab, 2½ inches minimum thickness composite panel spandrel and apron wall under the provision of C26-230.0, C26-446.0, C26-587.0, C26-591.0, C26-592.0 and C26-631.0.6 Administrative Building Code.

Purpose

The material is to be used as the inner wythe of a composite spandrel wall.

Description

The material is the same as that approved by the Board as an incombustible tile and incombustible roof deck under Cal. 389-52-SM and 391-52-SM.

The construction of the wall is as follows:

A 5 inch by 5 foot by ¾ inch angle is firmly attached along the length of the spandrel beam and each floor, this angle acts as a shelf angle for the outer wythe. The outer wythe of brick is laid up in running bond section, six courses high. A course 2½ inches Tectum Slab, 18½ inches high is then laid on the spandrel beam with a 2¾ inch air space between the wythes of brick and Tectum Zinc alloy wall tiles, as approved by the Board, are used to bond the two wythes together and these ties are spaced one tie per 4 sq. feet of wall and spaced not further apart than 2 feet on centers along the length of the wall and are spaced not further apart than 2 feet on centers along the length of the wall and 1 foot 6½ inches on centers along the height of the wall.

The inner wythe of the wall is tied to column by means of corrugated anchors 1 inch wide by 6 inches long by ½ thick every 1 foot 6½ inches along the face of the column and the outer wythe or brick wall is also tied into the column every 1 foot 7 inches.

The inner face, or the Tectum is then plastered with sanded gypsum plaster of a mix of one part gypsum cement plaster to two parts of sand by weight to a thickness of 7/16 of an inch; a 1/16 inch finish coat is then applied giving a total plaster finish of ½ inch on the face of the Tectum. The total thickness of the wall brick, air space, Tectum and plaster is 9½ inches.

Inspection and Test

Walls, constructed as herein described, were tested at Ohio State University Laboratories in the presence of Assist. Engr. J. A. Darts in accordance with the requirements of C26-579.0 through C26-587.0 and C26-591.0 and C26-592.0 Administrative Building Code.

The first panel was tested in a position such that the brick face or outer wythes was exposed to the fire exposure, the second panel was tested so that the Tectum was exposed to the fire exposure.

Results of the test were as follows:

Panel I—The initial temperature was 72 degrees F, the average and point temperature was calculated to be 250 degrees plus 72 degrees equals 322 degrees and an individual thermocouple 397 degrees. The test was discontinued at the end of 378 minutes at which point the average temperature was 285 degrees and the highest thermocouple was 397 degrees F or the end point of the test. The maximum deflection during test was 2⅔ inches. The panel also successfully passed the hose stream test of 45 psi for 5 minutes.

Panel II—The initial temperature was 75 degrees F. The average end point temperature was calculated to be 250 degrees plus 75 degrees equals 325 degrees and any individual thermocouple 400 degrees F. The test was discontinued at the end of 240 minutes or 4 hours at which point the average temperature was 274 degrees and the highest temperature was 300 degrees F both well below the allowable maximum temperature. The maximum deflection during test

was 3.8 inches. The panel also successfully passed the hose stream test of 45 psi for 5 minutes.

A study of the temperature of the two panels at the end of 4 hours showed that the behavior of the panel whether the fire was against the brick face of the Tectum and plaster face, was practically identical.

The panels were also load tested in accordance with C26-626.0 Administrative Building Code at a load of 30 lbs. per sq. foot when the load was applied against the brick face or exterior face, the deflection was 0.048 inches, when the load was applied against the Tectum to simulate the wind load in an opposite direction, the deflection was 0.046 inches. On the spandrel wall section failure occurred at a load of 4725 lbs. or 190 lbs. per square foot.

The complete report is on file with and is part of the record.

Recommendation

On the basis of the inspection test and the data filed by the applicant, the Committee on Test recommended the approval of the Tectum Slab 2½ inch minimum thickness composite panel, spandrel and apron wall for use in New York City, when constructed as herein described, under the provisions of C26-631.0.6 Administrative Building Code on condition that all plans filed with the Department of Buildings showing the proposed use of this form of construction shall be marked as follows "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 683-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

700-57-SA

APPLICANT—General Fittings Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade names Way-Wolff Associates, Ray Burner Sales—re General Fittings Electric Oil Immersion Heater, Models WTSB-1, WTSB-2, WTSB-3, to be marketed as Preferred Electric Oil Immersion Heater, Models SS-1, SS-2 and SS-3; previously approved.

APPEARANCES—

For Applicant: Edward Leahy.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 700-57-SA.

Subject: Amendment to resolution as to additional trade names.

General Fittings Co. requested by letter dated May 14, 1958 that the resolution adopted November 13, 1957 under

MINUTES

Cal. No. 700-57-SA be amended so as to permit the approved heaters to be marketed under additional trade names. The application was reopened by a vote of the Board June 3, 1958.

Recommendation

The Committee on Test recommends that the resolution adopted November 13, 1957 under Cal. No. 700-57-SA be amended so as to permit the approved General Fittings Electric Oil Immersion Heater Models WTSB-1, WTSB-2 and WTSB-3 to be marketed by the Way-Wolff Associates under the trade name of Way-Wolff Model M 189-75, M 189-99 and M 189-123 and by the Ray Burner Sales Inc. under the trade name of Ray Burner Sales Model M 189-75, M 189-99 and M 189-123 on condition that the requirements of the resolution adopted November 13, 1957 be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 13, 1957 in accordance with the above report.

859-57-SA

APPLICANT—American LaFrance Corp., owner.

SUBJECT—Application November 21, 1957—American LaFrance Dry Chemical Extinguishers, Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30, approval of.

APPEARANCES—

For Applicant: Roger C. Kahn.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 859-57-SA.

Subject: American LaFrance Dry Chemical Fire Extinguishers. Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30.

American LaFrance Corporation, Elmira, New York, filed November 21, 1957 an application with the Board of Standards and Appeals for approval of the American LaFrance Dry Chemical Fire Extinguishers, Models: PDC-2A, PDC-5, PDC-10, PDC-20, and PDC-30 under the provisions of C26-191.0 Administrative Building Code.

Purpose

Portable fire extinguishing appliances.

Description

The American LaFrance Dry Chemical Fire Extinguishers are hand fire extinguishers employing as the extinguishing agent a finely divided dry chemical which is ejected through a nozzle or hose by means of nitrogen gas or dry air at a pressure of approximately 150 p.s.i. Both the dry chemical and expellant gas are stored in a single chamber.

The extinguishers are operated by depressing the discharge valve lever.

To recharge, dry chemical is poured into the dry chemical chamber after removal of the valve assembly which is then replaced and tightened. When the unit is to be pressurized, a special adapter is inserted into the valve outlet, the lever is depressed and nitrogen is introduced into the dry chemical chamber until the pressure gauge on the unit indicates the 190 p.s.i. charging pressure.

The Leeder Dry Chemical Extinguishers are charged with from two pounds of dry chemical up to 30 pounds of dry chemical as indicated in the model designation.

Inspection and Test

The American LaFrance Dry Chemical Extinguishers have been tested and approved by the Underwriters' Laboratories for Class B and C fires under file Ex 1897.

Recommendation

On the basis of the data submitted by the applicant, the Committee on Test finds that the American LaFrance Dry Chemical Fire Extinguishers Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30 conform to the requirements of the General Resolution of the Board adopted July 16, 1940 under Cal. No. 809-40-GR wherein it was resolved that, "A fire extinguisher listed as approved by the National Board of Fire Underwriters after test by the Underwriters' Laboratories, Inc., may be accepted by the Administrative officials under the Oil Burner Rules and the Administrative Code for the class or classes of fires as set forth in such approval. All such fire extinguishers for use in New York City shall bear the label of the Underwriters' Laboratories, Inc., stating "the class or classes of fire for which such fire extinguisher was so approved."

The American LaFrance Dry Chemical Fire Extinguishers Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30, having been so tested and approved by the Underwriters' Laboratories and bearing a label indicating such test and the class of fires for which it is suitable, is acceptable for use in the City of New York in accordance with the requirements of the rules of the Board and the Administrative Code.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

893-57-SA

APPLICANT—All-Boro Gas Co., Inc., Agent, for Grimm Manufacturing Co., Owner.

SUBJECT—Application November 1, 1957—Redi-Heater, Gas-fired, Model M70, approval of.

APPEARANCES—

For Applicant: Paul J. Harriton.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

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REPORT OF COMMITTEE ON TEST

Re: Cal. No. 893-57-SA.

Subject: Redi-Heater Gas Fired, Model M70.

All-Boro Gas Co. Inc., for Gramm Manufacturing Co., Toms River, N. J., owner, manufacturer filed November 1, 1957 an application with the Board of Standards and Appeals for approval of the Redi-Heater Model M70 under the provisions of C19-91.0 Administrative Code and the requirements of the Fire Department.

Purpose

A space heater intended for temporary use in the drying of concrete and plaster construction work.

Description

The Redi-Heater Model M70 is a propane burning space heater intended for temporary use in the drying of concrete and plaster construction work during cold weather. It consists of twin jet burners installed within a double shell housing assembled with a top deflector and a bottom plate. Air is free to pass between the inner and outer jackets aiding in heat circulation. The heater is mounted on three V shaped iron legs.

Each of the burners is provided with a shut off valve an safety pilot light. An automatic shut off valve is installed in the gas line near the burners.

Gas is supplied to the burners from a standard I.C.C. cylinder through a neoprene hose at a pressure not over 11 inches water column. The gas pressure is maintained by means of a preset regulator installed at the cylinder.

Inspection and Test

The model M70 heater was inspected and tested by Asst. Engr. G. F. Sklenarik, Committee on Test at the premises, 49-10 20th Avenue, Queens.

The appliance operated satisfactorily; the automatic gas valve closed in approximately 45 seconds after flame extinguishment.

Recommendation

On the basis of the inspection and test and the data submitted by the applicant, the Committee on Test recommends the approval of the Redi-Heater Model M70 for temporary use in drying concrete and plaster construction in accordance with this report and under the provisions of section C-19-91.0. Administrative Code, rule 2.7 of the Board's rules for the Erection, alteration, repair, excavation for and demolition of buildings provided that each heater shall bear a label, permanently attached, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 893-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

1021-57-SA

APPLICANT—Precision Heat Treating Co., for Ipsen Industries, Inc., owner.

SUBJECT—Application December 23, 1957—Endothermic Generator, Model 600G, to produce special gas suitable for proper heat treatment of steel, approval of.

APPEARANCES—

For Applicant: Jack Cohen and Leslie E. Senet.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 1021-57-SA.

Subject: Endothermic Generator, Model: G 250 E, G 500 E&G, G600 E&G, G 750 E&G, G 1250 E&G, G 1500 E&G, G 2500 E&G, and G 3000 E&G.

Ipsen Industries Inc., Rockford, Illinois, filed December 23, 1957, an application with the Board of Standards and Appeals, for approval of their Endothermic Generator, Models: G 250 E, G 500 E&G, G 600 E&G, G 750 E&G, G 1250 E&G, G 1500 E&G, G 2500 E&G, and G3000 E&G, for use in New York City, under the provisions of C-26-191.0 and C19-11.0 of the Administrative Code.

Purpose

To make a special gas for use in metal heat treating ovens.

Description

The Ipsen Generator produces a protective atmosphere gas for use in heat treating metals. Air and gas such as natural gas are drawn through flow meters and mixed together in an adjustable mixer to an exact ratio. This air-gas mixture is introduced into an insulated inconel retort which is heated electrically or by gas heat supplied from a ring type burner installed beneath the retort. The gas-air mixture is partially burned within the retort which contains a catalyst and the remaining gas mixture is reformed to the desired composition and passes from the retort through a water cooled cooler or heat exchanger and is then metered to one or more heat treating furnaces. Provision is made to burn off excess gas at the top of the generator. A Selas Five Check is installed in the piping between the gas-air blower and the retort to shut off the gas-air flow in case of a flash back.

The normal operating temperature in the retort is 1600 degrees F with some gases. This may be increased to 1850 degrees F. Control of the generator operation is accomplished by checking the dew point of the generated gases and by making any necessary adjustments in the ratio of the gas-air feed. Automatic operation continues thereafter.

Temperature control is automatic by means of a thermocouple placed through the insulating wall surrounding the retort. This thermocouple serves to control the flame of the multi-jet ring burner in the gas heated units or the flow of the multi-jet ring burner in the gas heated units or the flow of electric current in the electrically heated units wherein suitable electrodes are installed around the retort where the flue passages would be on the gas heated units.

High temperature (1950 degree F) safety fuses are installed on the electrically heated generators and will shut off power in case the normal means of temperature control should fail. The gas heated generators have automatic safety pilots at the burners.

In the model designation for the generator the suffix "G" indicates a gas heated unit, while the suffix "E" indicates an electrically heated unit. The numeral indicates the capacity of the generator in cubic feet per hour.

Inspection and Test

A typical G-600-G installation was inspected at 282 North

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Henry Street, Brooklyn by Ass't Engr. G. F. Sklenarik, Committee on Test. Present was Mr. L. Senet, representing the applicant.

The generator functioned satisfactorily as designed.

Recommendation

On the basis of the inspection and the data filed by the applicant, the Committee on Test recommends the approval of the Ipsen Endothermic Generator, Models: G625E, G500 E&G, G750 E&G, G1250 E&G, G1500 E&G, G2500 E&G, and G3000 E&G, for voluntary use in New York City, when installed in accordance with this report and the Electrical Code of the City of New York, and provided that they will be used only with approved heat treating furnaces and that all installations shall be supervised by the applicant's personnel and that the operators of such generators shall be specially trained by the applicant and further that each generator shall bear a label permanently affixed, reading: "Approved by the Board of Standards and Appeals, for use in New York City, under Calendar Number 1021-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

75-58-SA

APPLICANT—Martin Stamping and Stove Co., owner.

SUBJECT—Application February 5 and February 11, 1958 —Martin Unvented Gas-fired Room Heaters, Model C-418, C-430, C-440, 522, 528, 535, 422, 428, 435, 1205, 1206, 1116 and 1120 and Martin Vented Gas-fired Room Heaters, Models V835, V850, V870, V935, V945, V965, V985, V715 and V720, approval of.

APPEARANCES—

For Applicant: Irving Entin.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 75-58-SA.

Subject: Martin Unvented Gas Fired Room Heaters, Models C-418, C-430, C-440, 522, 528, 535, 422, 428, 435, 1205, 1116, 1120 and Martin Vented Gas Fired Heaters, Models V835, V850, V870, V935, V945, V965, V985, V715 and V720.

Martin Stamping & Stove Company, Huntsville, Alabama, filed February 11, 1958 an application with the Board of Standards and Appeals for approval of the Martin Vented and Unvented Gas Fired Heaters, Models C-418, C-430, C-440, 522, 528, 535, 422, 428, 1205, 1206, 1116, 1120, V835, V850, V870, V935, V945, V965, V985, V715 and V720 under the provisions of Article 12 Chapter 26, Administrative Code.

Purpose

Gas fired room heaters for domestic and commercial use.

Description

The Martin Unvented Heaters are floor type room heaters, consisting of porcelain finished cabinets housing cast iron raised drilled port burners. Primary air intake to burners is adjustable on all models.

The 500 series are straight convection type heaters while the 400 series and the 1205, 1206, 1116 and 1120 models have clay radiants installed just above the burner.

The C-400 series are also available with a fan assembly for forced circulation of heated air.

The characteristics of the various heaters are:

Model	No. of Radiants	Btu Rating
422	4	20,000
428	5	28,000
435	6	35,000
522	None	22,000
528	None	28,000
535	None	35,000
C-418	3	18,000
C-430	5	30,000
C-440	6	40,000
1205	5	20,000
1206	6	24,000
1116	4	16,000
1120	5	20,000

The Martin Vented Heaters are designed for flue connection to the outdoors.

The characteristics of the various vented heaters are:

Model	No. of Radiants	Btu Input
V 715	None	15,000
V 720	None	20,000
V 835	5	35,000
V 850	6	50,000
V 870	7	70,000
V 935	None	35,000
V 945	None	45,000
V 965	None	65,000
V 985	None	85,000

The V 900 models are also available with a blower fan.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

All of the Martin Heaters covered in this application were tested and approved by the American Gas Association for all fired gases.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Martin Unvented Gas Fired Room Heaters Models C-148, C-430, C-440, 522, 528, 535, 422, 528, 435, 1205, 1206, 1116, 1120 and Martin Vented Gas Fired Heaters Models V 835 V 850, V 870, V 935, V 945, V 965, V 985, V 715 and V 720 for use in New York City under the provisions of Article 12 Chapter 26 Administrative Code provided that when such heaters are thermostatically controlled, they shall be vented to outdoors and equipped with automatic safety pilots; that automatic safety pilots shall be provided on heaters used with propane gas and further that each heater shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 75-58-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

MINUTES

197-58-SA

APPLICANT—Clayton Manufacturing Co., owner.

SUBJECT—Application March 5, 1958—Clayton Generator, Models WHO-50, 52-212, 75 and 100 (Oil-fired), approval of.

APPEARANCES—

For Applicant: Neal Ballingall.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 197-58-SA

Subject: Clayton Steam Generator, Models WHO-50, 52-212, 75 and 100, Oil Fired.

The Clayton Manufacturing Company, El Monte, California, filed March 5, 1958 an application with the Board of Standards and Appeals for approval of the Clayton Steam Generator, Models WHO-50, 52-212, 75 and 100 for use in New York City under the provision of the Oil Burner Rules of the Board.

Purpose

Oil fired steam generators for industrial use.

Description

The Clayton Steam Generators are forced decirculating types intended primarily for industrial use to supply process steam or hot water. They are of the quick steam type in which water is forced through a heating coil. This coil is heated by means of an oil burner of the high pressure type firing upward through dual nozzles. The steam generated in the coil is separated from the water in an accumulator and the excess water mixed with feedwater is recirculated through the coil by a pump. The generators are designed in accordance with the requirements of the ASME High Pressure Steam Boiler Code, including the required safety devices.

The generators are protected with low water cut-outs and steam pressure-stat and relief valve. A photo-electric cell is used as an electronic flame control for the burner.

The burners will burn No. 4, 5 or 6 fuel oil. An approved electric preheater with oil temperature interlock is used in the system when No. 4 or 5 oil is burned and in addition an approved steam preheater is used when No. 6 oil is burned.

The firing rates for the various models are:

Models	Gallons per hour (dual nozzles)
WHO-50	15
52-212	13.5
75	23
100	30

All generators operate automatically in response to steam requirements firing on one or both burners in accordance with demand.

Inspection and Test

A typical Clayton Steam Generator installation was inspected at the Etco Knit Goods Processing Co., 24 Montrose Avenue, Brooklyn, by Asst. Engr. G. F. Sklenarik.

These generators have been tested and are listed by the Underwriters' Laboratories. They are similar to the generators previously approved by the Board under Calendar Number 424-45-SA.

Recommendation

On the basis of the inspection and the data submitted by the applicant, the Committee on Test, recommends the approval of the Clayton Steam Generator Models WHO-50, 52-212, 75 and 100 for use in New York City in accordance with this report and the Oil Burner Rules of the Board, provided approved preheaters will be used with the equipment and further provided that each generator shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City, under Calendar Number 197-58-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

800-39-SM—Vol. IV

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for test as to additional use of acoustical plaster—re USG Red Top Cement Plaster, fibered, unfibered, extra fibered; USG Red Top No. 1 Moulding Plaster; USG Red Top Special Cement Plaster; USG Struto-Base Plaster, Structo-Gauge Plaster, Structo-Trowel Plaster; USG Sabinite M, USG Sabinite Float Finish and USG Sabinite Trowel Finish, USG Structural Base Coat, USG Structural Gauging Plaster and USG Structocal Trowel Finish Plaster, USG Perfortable Savinite, previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened as Vol. IV, to consider further amendments and a new use.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 5

Negative: 0

162-43-SM

APPLICANT—New Castle Products, owner.

SUBJECT—Application for consideration—reopening for test and report—re Modernfold Doors; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

696-52-SM

APPLICANT—United States Gypsum Company, owner.

MINUTES

SUBJECT—Application for consideration—reopening for test and report on "T" Bar—re USG Fully Accessible Acoustical Tile Ceiling using Zee Spline Mechanical Suspension (for hung accessible acoustical ceiling); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

408-54-SM

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for additional means of suspension—re USG Corrutone Acoustical System (acoustical treatment); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report to consider additional means of suspension.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

294-41-SM

APPLICANT—David E. Kennedy, Inc.

SUBJECT—Application April 8, 1938. Kencork. (Cork Acoustical Tile)

APPEARANCES—

For Applicant: D. V. Borell.

ACTION OF BOARD—Application withdrawn, superseded by later application of Kentile.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

366-34-SA

APPLICANT—Duo-Therm Division of Motor Wheel Corp., owner.

SUBJECT—Application for consideration—dismissal of reopening June 24, 1952—re Duo-Therm Space Heaters; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

242-36-SA

APPLICANT—Swirling Oil Burner Mfg. Corp., owner. Independent Oil Company, original owner.

SUBJECT—Application for consideration—dismissal of reopening July 17, 1956—re Swirling Heat Oil Burner, Models A2S, A2L, A2M and B; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

230-38-SM

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application for consideration—dismissal of reopening October 11, 1949—re Pyrobar Shor Span Gypsum Roof Tile; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

415-38-SM—Vol. III

APPLICANT—The Flintkote Company, Inc., owner.

SUBJECT—Application for consideration—dismissal of reopening June 19, 1951—re Flintkote Built-up Roofing; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

545-39-SA

APPLICANT—Florence Stove Company, owner.

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SUBJECT—Application for consideration—dismissal of re-opening October 4, 1955—re Florence Cabinet Heaters, Models, CK-1, CK-2, CJ-1, CJ-21 and C-2; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

1167-39-SM

APPLICANT—C. A. DeLevante, Inc., owner. Arthur D. McCormack, Agent.

SUBJECT—Application September 22, 1939—Mohawk Portland Cement Stucco, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative 0

1168-39-SM

APPLICANT—C. A. DeLevante, Inc., owner. Arthur D. McCormack, agent.

SUBJECT—Application September 22, 1939. Mohawk-Portland Cement Paint.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

1268-39-SM

APPLICANT—Picone Bros. Builders Supplies, Inc., owner. William F. Fagan, Agent.

SUBJECT—Application for consideration—dismissal of re-opening May 22, 1956—re Picone Bros. Cinder Concrete Blocks; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

729-40-SM—Vol. III

APPLICANT—Hobart Welding Accessories, Inc., for The Hobart Bros. Company, owner.

SUBJECT—Application for consideration—dismissal of re-opening December 7, 1954—re Hobart No. 10 Arc Welding Electrode and Hobart Welding Electrods, No. 55; previously dismissed.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

240-42-SM

APPLICANT—Campbell & Ives Co., Inc., for Timber Engineering, owner. Hugh Forman, agent.

SUBJECT—Application March 24, 1942. Teco-Timber Connectors.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

27-46-SM

APPLICANT—Pennsylvania-Dixie Cement Corp., owner. SUBJECT—Application January 12, 1946. Penn-Dixie Cement, Types I, II, III.

APPEARANCES—

For Applicant: None

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

142-46-SM

APPLICANT—Lawrence Portland Cement Co., owner. SUBJECT—Application February 16, 1946. Dragon Superior High Early Strength Type III, Portland Cement.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

143-46-SM

APPLICANT—Lawrence Portland Cement Co., owner. SUBJECT—Application February 16, 1946. Dragon Portland Cement, Type I.

APPEARANCES—

For Applicant: None

MINUTES

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

361-22-A—Vol. II

APPLICANT—Brooklyn Borough Gas Company, owner.
SUBJECT—Application reopened May 20, 1958 as Vol. II—Appeal from orders and a decision of the Fire Commissioner, re foam extinguishing system.

PREMISES AFFECTED—873 Neptune Avenue, north side, 146.90 feet east of West 12th Street, Block 7247, Lots 22, 100, 106, 114, 122, 265 and 320, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lee Aliack.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, Order Number 7951-7 was issued by the Fire Commissioner, December 30, 1957, reads:

"Inspectors of this department report that hazardous conditions were found to exist at the above premises. Kindly notify this office when these conditions have been corrected, so that premises may be re-inspected.

1. *Provide a steam extinguishing system as per Resolution 361-22-A.*"

and

WHEREAS, the decision of the Fire Commissioner dated April 16, 1958, reads:

"This will acknowledge receipt of your communication of April 16, 1958 with respect to order No. 7951-7 affecting above mentioned premises.

You will please be advised that the Fire Commissioner is without authority to grant extension of time, therefore, your request must be denied.

You may consider this as a basis for an appeal if you decide to file an application with the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan within 30 days from above mentioned date."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 600 feet on Neptune Avenue and 900 feet in depth on which the existing 23 foot 5 inch high 54 feet diameter tank is located; that it is used for the storage of gas oil pursuant to permission granted by the Board May 2, 1922 under Calendar Number 361-22-A, Volume I; and

WHEREAS, the applicant states that the plant in which the existing steam extinguishing system is installed, discontinued daily operations in 1951 and was converted to standby operation, for use only for brief periods during the winter season for peak load requirements; that due to the change in plant operation resulting from natural gas being received and the need for daily continuous manufacturing of gas at this plant ceased; that due to these changes the present practice for boiler plant operation is to operate only during severe cold weather; that under such conditions steam is not available for fire protection purposes during most of the year; and

WHEREAS, the applicant states that upon recommendation of the Fire Department the outlets of the foam generators were manifolded in such a manner to give flexibility so that any or all generators can be used on any or all tanks; that at the present time each tank is piped from its own individual generator; that a new connection has been installed in the existing water line at the foam generator house for use

by the Fire Department in the event additional water pressure is required; that the existing foam generators are fed by city water pressure, connected to two independent city mains, coming into the plant at an average pressure of approximately 50 lbs. per square inch; that a new 4 inch high pressure water line from the city main will be installed and connected to the discharge of a motor driven high pressure pump; and

WHEREAS, the applicant contends that a review of the Fire Department System for oil storage tanks of other utilities within the City, indicates that foam equipment is being adequate without the steam blanketing equipment; that in no case are both fire, foam and steam used in any installation; that if steam were used in conjunction with foam it would have a tendency to dissipate and break up the foam layer thereby decreasing the efficiency of the foam in smothering the fire; that in addition there is a water tower on the premises which can be used as an additional source of water in an emergency, in the event of the failure of city supply; that this tower has a capacity of 100,000 gallons and the bottom of the tank is 90 feet above grade and will supply pressure of 40 lbs. per square inch; that this tower is connected to the yard hydrant system and is available at a moments notice; and

WHEREAS, the applicant contends that the installation of steam smothering system would serve no useful purpose, would be discriminatory against the Company, and would not be necessary as the present foam system is an example to the Fire Department; that it is therefore requested that the Board modify Item I of the Fire Commissioner's Order so as to permit the Company to abandon the steam line as proposed, with the understanding that the foam system will otherwise comply with the requirements of the Fire Commissioner; and

WHEREAS, the Board found that the existing foam fire extinguishing system as permitted by resolution adopted under calendar 361-22-A, Vol. I on May 22, 1922 should be conformed with changes since completed.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 2, 1922, so that as *amended* the resolution shall read:

"*Resolved*, that the decision of the Fire Commissioner, acting on Order #7951-7 dated December 30, 1957, and the decision of the Fire Commissioner dated April 16, 1958, be and they hereby are *modified* that the appeal be and it hereby is *granted on condition* that a fire protective system in the nature of fire foam shall be installed and that the tank be enclosed with reinforced concrete dike walls in an enclosure so formed as to have a capacity sufficient to contain half the contents of the tank; and that such system shall be maintained to the satisfaction of the Fire Commissioner."

425-53-A

APPLICANT—John F. Fitzsimons, for John J. Kennedy, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—103-43 Lefferts Boulevard, east side, 132.59 feet north of Liberty Avenue, Block 9557, Lot 48, Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

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THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 28, 1953, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 28, 1953, only so far as it has reference to the term of the variance, so that as amended this portion of the resolution shall read:

"that this variance shall be for a term of five years from the date of this *amended* resolution." (Alt. App. 1137/53)

131-51-A—Vol. II

APPLICANT—Henry George Green, for 44 West 55th Street Corp., owner.

SUBJECT—Application for consideration — reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—438-44 West 55th Street, south side, 250 feet east of 10th Avenue, Block 1064, Lot 55, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Appeal reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

813-57-A

APPLICANT—Elliot Saltzman, for Renel Realty Corp., owner.

SUBJECT—Application November 8, 1957—Appeal from a decision of the Borough Superintendent re loading platform beyond Building Line.

PREMISES AFFECTED—57-59 Wooster Street and 484-490 Broome Street, northwest corner, Block 487, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Elliot Saltzman.

ACTION OF BOARD—Appeal withdrawn, building having been sold to a new owner.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

326-58-A

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application May 16, 1958—Appeal from a decision of the Borough Superintendent, re cesspool to be at least 15 feet from proposed building.

PREMISES AFFECTED — 108-24 Astoria, Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn, filed in connection with Cal. No. 967-57-BZ, which is pending, as the appeal is no longer necessary.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

914-52-A—Vol. II

APPLICANT — Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.

SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of The Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

APPEARANCES—

For Applicant: Edward J. Hurley.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner.

SUBJECT—Application reopened December 17, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Lubroth.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

475-55-A—Vol. II

APPLICANT — Harry A. Yarish, for Mar-Rin Realty Corp., owner.

SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re Class III construction, increase in height—increase in number of beds, Nursing Home.

PREMISES AFFECTED—953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish.

For Administration: Vincent J. Rice, General Inspector, Dept. of Hospitals.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; applicant to correct plans filed with the Board so as to show all information now on Building Department plans.

296-57-A

APPLICANT—George J. Steigerwald, owner.

SUBJECT—Application April 15, 1957—Appeal from an order of the Fire Commissioner, re use of premises as storage garage.

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PREMISES AFFECTED—21-23 Coenties Slip, west side, 30 feet south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Fischer.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.

SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re sign.

PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

APPEARANCES—

For Applicant: Sol Oberwager and R. H. McCann.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.

PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman, Maurice Benton and Theodore J. Malvin

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

369-58-A

APPLICANT—Leo M. Zamory, for Our Lady of Mercy Church.

SUBJECT—Application June 11, 1958—Appeal from a decision of the Borough Superintendent, re frame building, public use, live load and stairways.

PREMISES AFFECTED—2493 Marion Avenue, west side, 172.32 feet, north of East 188th Street, Block 3023, Lot 54, Borough of Bronx.

APPEARANCES—

For Applicant: Leo M. Zamory.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

251-32-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Ultramar Realty Company, Inc., owner

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 9, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of an existing gasoline service station,

auto washing, lubrication, minor repairs with hand tools only, office and sale of auto accessories.

PREMISES AFFECTED—1772-1788 Southern Boulevard, northeast corner of Boston Road, Block 2984, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant— Charles M. Spindler.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on July 9, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 9, 1957 as thereafter amended by resolution adopted on February 11, 1958 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (N. B. App. 2070/56)

406-43-BZ—Vol. II

APPLICANT—Manning, Hollinger & Shea, for Edward J. Clark, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 21 of the Zoning Resolution, permitting the change in occupancy from factory and office to rug and carpet sales, carpet cleaning and storage, with existing building nearer to the street line than is permitted and without the required rear yard; and with a loading platform extension, extending into the residence portion of the plot, with show windows more than the permitted distance from the intersection and with signs nearer to the parkway than is permitted.

PREMISES AFFECTED—223-01 to 223-09 Northern Boulevard and 43-19 to 43-39 223rd Street, northeast corner, Block 6329, Lots 1 and 20, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: L. Gary Clemente.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on May 16, 1950, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 16, 1950 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

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"... granted for a term of 10 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 3149/49)

721-47-BZ

APPLICANT—Carl B. Cali, for J. M. N. Holding Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired June 2, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a business use, B area district, the change in use from private garage (erected for use of tenants of buildings) to marble work shop, without the required rear yard.

PREMISES AFFECTED—185 East 109th Street and 1984-1988 3rd Avenue, northwest corner, Block 1637, Lots 33 and 132, Borough of Manhattan.

APPEARANCES—

For Applicant: Carl B. Cali.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 18, 1948, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 2, 1953; and

WHEREAS, the term of variance was extended on June 2, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 18, 1948 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision e for a term of 10 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within three months from the date of this *amended* resolution." (Al. App. 301/47)

141-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Willonia Amusement Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a residence and business use district, the change in occupancy from motion picture theatre (previously granted by the Board under Cal. No. 937-19-BZ), to dress manufacturing offices and storage on 1st floor and offices on 2nd floor.

PREMISES AFFECTED—530-540 Livonia Avenue and 481-495 Williams Avenue, southeast corner, Block 3819, Lot 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 19, 1955, on certain conditions; and

WHEREAS, the resolution was amended on Feb. 21, 1956; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 19, 1955, as thereafter *amended* by resolutions adopted on February 21, 1956 by adding thereto:

"that in the event the owner desires to change the storage use of the building from scenery to non-combustibles and to install one twelve by fourteen foot loading and unloading berth and a twenty foot curb cut on Williams Avenue such changes may be permitted as indicated on revised plans marked "Received June 19, 1958", one sheet, and as passed on by the Borough Superintendent under Amdt. to Alt. App. 4700-54, disapproved June 19, 1958.

584-55-BZ

APPLICANT—Becker & Penzel, for Charlotte W. Sanders, owner.

SUBJECT—Application for consideration — reopening for extension of time to complete which expired June 18, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business use district, the proposed demolition, construction and extension of an existing gas station, office and sales, storage lubricatorium, car washing and minor auto repairs.

PREMISES AFFECTED — 699 Morris Avenue and 266 East 155th Street, southwest corner and 3012-3016 Park Avenue, Block 2442, Lot 65, Borough of the Bronx.

APPEARANCES—

For Applicant: Charlotte W. Sanders.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 26, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 18, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 26, 1956 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work is about to proceed that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Sec-

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tion 22A of the Zoning Resolution from the date of this amended resolution." (N. B. App. 1053/55)

954-55-BZ

APPLICANT—Charles M. Spindler, for 2112 Knapp Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired July 10, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking and storage of motor vehicles.

PREMISES AFFECTED—2133-2145 Brigham Street, east side, 113 feet 11 inches south of Avenue U, Block 7370, Lot 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 10, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 10, 1956 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of five years from the date of this amended resolution, to permit the parking and storage of motor vehicles limited to the pleasure car type and not over five school busses, that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." (Alt. App. 4093-55)

593-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Cirillo Brothers Coal and Fuel Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Commissioner of Marine and Aviation which was subsequently superseded by a decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district, the erection of a bulk petroleum oil terminal.

PREMISES AFFECTED — 1620-1644 Shore Parkway, south side, 148.59 feet east of Bay Parkway and 8975-8993 Bay Parkway, Block 6946, Lots 301 and 315 and Block 6491, Lots 14, 19 and 55, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassolotti.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 16, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 16, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (N.B. App. 1113/57)

788-56-BZ—Vol. I

APPLICANT—Boris W. Dorfman, for Louis Dorfman, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the sale of used cars.

PREMISES AFFECTED—1931-1945 Bruckner Boulevard, north side, 102 feet east of Virginia Avenue, Block 3787, Lots 52-57 inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Boris W. Dorfman.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. I on May 14, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 22, 1958 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from date of this amended resolution." (Alt. App. 999-56).

788-56-BZ—Vol. II

APPLICANT—Boris W. Dorfman, for Louis Dorfman, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a residence use district, the extension of an existing parking lot for the sale of used cars by the addition of an adjoining lot.

PREMISES AFFECTED—1947-1949 Bruckner Boulevard, north side, 103 feet east of Virginia Avenue, Block 3787, Lots 50 and 51, Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: Boris W. Dorfman.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on April 22, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 22, 1958 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from date of this *amended* resolution" (Alt. App. 655/57)

158-57-BZ

APPLICANT—Fred C. Dahlem, for V. E. Block, for Frank Mangieri and August Lanzatti, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7h, 7f and 7i of the Zoning Resolution, permitting in a retail use district, the erection and maintenance of a gasoline service station, lubricatorium, office, sale of accessories, car washing, minor repairs with hand tools and the parking and storage of more than 5 motor vehicles.

PREMISES AFFECTED—1430-1448 Seabury Avenue and 1510-1530 Westchester Avenue, northeast corner, Block 3858, Lots 1, 5, 8, 9 and 40, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred Dahlem.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 6, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 6, 1957, by adding thereto:

"that there may be an additional overhead door at the car wash section, as now proposed and shown on plans filed with this application, marked 'Received July 9, 1958', 1 sheet, and as passed on by the Borough Superintendent under N.B. 53/57, denied July 9, 1958; and that in all other respects the resolution above cited shall be complied with."

360-57-BZ

APPLICANT—Shreve, Lamb & Harmon Associates, for The Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 21 of the Zoning Resolution, permitting in a 1½ height district, the erection of a student center and dormitory building exceeding the permitted height by the elimination of the required setback.

PREMISES AFFECTED—2920-2934 Broadway and 545-599 West 114th Street, northeast corner, Block 1886, Lot, part of, 1, Borough of Manhattan.

APPEARANCES—

For Applicant: William H. Leyh.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 19, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 19, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N. B. App. 16/57)

921-57-BZ

APPLICANT—Charles M. Spindler, for Murray Eisenberg, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubrication, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with show windows, business entrances and signs within 75 feet of the residence use district, for a stated term of 15 years.

PREMISES AFFECTED—6602-6610 New Utrecht Avenue and 1460-1466 (1472-1478 displayed) 66th Street, southwest corner, Block 5762, Lot 36, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

MINUTES

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 13, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 13, 1958, by adding thereto:

"that in the event the owner desires minor changes in the arrangement, as now shown on revised plans marked 'Received July 8, 1958', 1 sheet, and as passed on by the Borough Superintendent under N.B. App. 2199/57, disapproved July 7, 1958, such changes may be made as thereon shown, *on condition*, that in all other respects the requirements of the resolution above cited shall be complied with."

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg, for Clymer Realty Company, owner. F.K.S. Upholstery Mfg. Company, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, for a term of years, the change in use from fire house, to repairing and storage for vending machines.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan R. Ginsburg.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli, for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the inclusion of motor vehicle repairs in accessory building of existing gasoline service station and permitting the parking of motor vehicles waiting to be serviced.

PREMISES AFFECTED—78-15 31st Street, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: L. Gary Clemente.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-

ing, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

995-48-BZ—Vol. III

APPLICANT—Henry George Greene, for 444 West 55th Street, owner.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, permitting in a residence use district, the change in occupancy from parking and storage of motor vehicles from 1st to 6th floors to; 1st floor; lubritorium; 2nd floor; parts storage and motor vehicle repairs; 4th to 5th floors sale of new and used cars; 6th floor motor vehicle repairs.

PREMISES AFFECTED—438-44 West 55th Street, south side, east of Tenth Avenue, Block 1064, Lot 51, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Malloy

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

555-56-BZ

APPLICANT—Carl H. Salminen, for Charles J. Erthal, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete and extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a, 7i and 21 of the Zoning Resolution, permitting in a retail use district, the extension of the present use of the gasoline station, public garage and store to include a motor vehicle repair shop, parts display and sales, wheel alignment, lubritorium, car washing, welding and the sale of used cars.

PREMISES AFFECTED—22-50 122nd Street and 121-11 23rd Avenue, northwest corner, Block 4197, Lot 40, College Point, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salminen.

ACTION OF BOARD—Application withdrawn in view of proposed filing of new application, which when received will be considered as reopening of 555-56-BZ, Vol. II.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

Adjourned 5:55 P.M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1014, Municipal Building, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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No. 30

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

SEAN P. KEATING, Vice Chairman

EDWIN W. KLEINERT

MAX H. FOLEY

HAROLD R. SLEEPER

SAMUEL L. BECKER, Director

JOSEPH J. DOYLE, Chief Clerk

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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CALENDAR

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427-58-BZ—B.Q.—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, north west corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens, N.B.-41-58, re erection of retail stores with storage—residence use district.

428-58-A—B.M.—36 Gramercy Park East, east side, 39 feet 5 1/7 inches south of Gramercy Park North, Block 876, Lot 21, Borough of Manhattan, Decision re: Temporary Certificate of Occupancy, 239-58.

429-58-SM—Safway Tube and Scaffold, manufactured by Safway Steel Scaffolds Supply Corporation, Material.

430-58-A—B.B.—429-431 Kent Avenue, east side, 92 feet north of South 9th Street, Block 2135, Lot 5, Borough of Brooklyn, Alt. 2057-58, re: exits.

431-58-BZ—B.B.—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn, Alt. 3366-57, re wet wash laundry—local retail use district.

432-58-BZ—B.Q. 84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens, N.B. 1263-58, re erection and maintenance Gasoline Station, auto laundry, lubritorium, erection ground sign—business use district.

433-58-A—B.Q.—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens, N.B. 1263-58 (under Section 35, General City Law—re premises partly in bed of mapped street—proposed widening of 84th Road.)

434-58-BZ—B.Bx—890 West Street, west side, 86 feet north of Flint Avenue, Block 5653, Lot 210, Borough of the Bronx, Alt. 28-58—re display, storage, sale and servicing of heavy construction equipment, residence use district.

435-58-SM—Arbutus Steel Joist, manufactured by Arbutus Steel Co., Material.

436-58-SA—Tokheim, Models 448 and 452 Pumps, with or without suffixes P, PEH, RC, TWIN, 1 and 2, manufactured by Tokheim Corporation, Appliance.

437-58-SA—Tokheim Emergency Shut-Off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4 and 1099-1, 1099-2, 1099-3, 1099-4, manufactured by Tokheim Corporation, Appliance.

438-58-A—F.D.—66 Greene Street, east side, 201 feet 3 inches, north of Broome Street, Block 485, Lot 5, Borough of Manhattan—order 1662-8 and Decision, re: Automatic Sprinkler System.

439-58-SA—Empire Gas Room Heaters, Models E154-6, E204-6, E304-6, E404-6, G508-M, F508-M, F708-M and G708-M, manufactured by Empire Stove Co., Appliance.

440-58-A—B.Q.—109-25 180th Street, east side, 184.95 feet north of Brinkherhoff Avenue, Block 10343, Lot 215, Jamaica, Borough of Queens, Misc. 56-58—Standpipe system required.

441-58-BZ—B.B.—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn, Amendment to Alt. 3439-57, re extension of use, re: open yard, dropped curb, business and residence use district.

442-58-A—B.M.—237-239 East 38th Street, north side, 125 feet west of 2nd Avenue, Block 919, Lots 23 and 24, Borough of Manhattan, Amendment to Alt. 1398-57, re: Class 3 construction, building over 4 stories in height.

443-58-BZ—B.B.—775-779 Kent Avenue, southeast corner of Little Nassau Street, Block 1884, Lot 18, Borough of Brooklyn, B.N. 477-58, re off-street loading berth, unrestricted use district.

444-58-SM—Silent Ceiling perforated metal panels, manufactured by Eastern Products Corporation, Acoustical Division, Material.

445-58-SA—Earl Schein Infra-Red Drying Tunnel, Model NYC, manufactured by Earl Scheib Paint and Supply Co., Appliance.

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277-54-A—Vol. IV—F.D.—3666 Richmond Terrace, southwest corner of Western Avenue, Block 1400, Lot 1, Port Ivory, Borough of Richmond, Decision re proposed change in use of gas storage container from water gas to hydrogen.

341-58-A—Vol. II—B.B.—1300-1308 Coney Island Avenue, west side, 320 feet north of Avenue J, Block 6523, Lot 85, Borough of Brooklyn, Alt. 859-58 re Class 3 construction, public use, re stairs, etc.

1283-18-BZ—Vol. II—B.B.—1702-1714, Neptune Avenue and 2802-2814 West 17th Street, southwest corner, Block 7020, Lot 6, Borough of Brooklyn, N.B. 37-58, reconstruction of existing gasoline service station, minor repairs, parking, etc., business, residence and local retail use districts.

593-41-BZ—Vol. III—B.Q.—10-25 Beach 19th Street, west side, 97.1 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens, Alt. 1294-55 re extension of existing gasoline service station, auto laundry, office, sales, parking, etc. to include minor repairs, business use district.

817-48-BZ—Vol. III—B.B.—6002-6024 Fort Hamilton Parkway, west side, from 60th to 61st Streets, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn, Alt. 2034-58 re change in use of 2nd and 3rd floors to manufacturing and storage, business and unrestricted use districts.

850-47-BZ—B.M.—101 Thompson Street, west side, 172 feet, 1 1/2 inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan, Amendment to Alt. 1445-47 re

CALENDAR

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re launderette, residence use district.

416-54-BZ—B.Q.—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens, Alt. 2918-53 re extension of time to complete (expired October 17, 1956), re parking for patrons and employees, residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

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Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
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Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
Smoking in Factories, Rules for..	Sept. 7, 1937—Vol. 22, No. 36
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	April 15, 1958.
Sprinkler, Rules	Mar. 4, 1958.
Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	June 7, 1932—Vol. 17, No. 23
Zoning Resolution, Rule to Supplement Section 19-A— July 11, 1958.	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

JULY 29, 1958, 10 A. M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, July 29, 1958, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—(decision of the borough superintendent) under section 7h of the zoning resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed of mapped street—Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 ft. south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—(decision of the Borough Superintendent) under section 7e of the zoning resolution, to permit in a residence use district, a hair-dressing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, southeast corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio, owner; Salvatore DiLorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, sales room and office motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore Di Lorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the

CALENDAR

Zoning Resolution, to permit in a business use district, in an open yard presently used for the storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

PREMISES AFFECTED—195-199 Allen Street, west side, 175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five motor for patrons cars in conjunction with a proposed department store. Ashford Street, in block 4335.

PREMISES AFFECTED—732-764 Ashford Street and

820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision in connection with 168-58-BZ; hearing closed.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application May 13, 1957—(decision of the Borough Superintendent) under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for decision; hearing closed.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a lot partly in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.

PREMISES AFFECTED—2846 Webster Avenue, east side 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

Laid over from July 15, 1958, to July 29, 1958, for inspection and decision; hearing closed.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.

SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning

CALENDAR

Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.

PREMISES AFFECTED—3960-3962 Bronxwood Avenue, east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of offices, lubricatorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

Laid over from June 24, 1958, to July 1, 1958, for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses it contained; then to July 15, 1958, for additional information as previously requested; hearing closed; then to July 29, 1958, for applicant to furnish information as to permits and size of plot and the date when original permit was issued by Fire Department and for inspection and decision; hearing closed.

121-49-BZ—Vol. II

APPLICANT—Herman Furrer, owner.

SUBJECT—Application reopened February 7, 1956 as Vol. II—decision of the Borough Superintendent, under section 7c and 7i of the Zoning Resolution, to permit in a retail use district, the erection of a one-story masonry service station and extend the use to include motor vehicle repair shop amending plans approved with Cal. No. 121-49-BZ—Vol. I and parking and storage of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—96-16 Metropolitan Avenue and 87-47 69th Avenue, southwest corner, Block 3886, Lot 845, Forest Hills, Borough of Queens.

Laid over from June 10, 1958, date to be set for new hearing; applicant to file plans, description and new statement; notices for new hearing to be served; referred to examiner for examination and setting for new hearing as notice for hearing was deficient as to time and after consideration it was determined that a new hearing should be scheduled with revised plans and new notice; now set for July 29, 1958 at 10 A. M.

121-49-BZ—Vol. I

APPLICANT—Herman Furrer, owner.

SUBJECT—Application for consideration—reopening as to amendment in reduction in size of building—re Application (decision of the Borough Superintendent), previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a business use district, the extension in area of accessory building on existing gasoline service station, to be used as an office, lubricatorium, auto laundry, showroom, storeroom, motor vehicle repair shop and storage of more than five motor vehicles waiting to be serviced (no fee).

PREMISES AFFECTED—96-16 to 96-24 Metropolitan Avenue and 87-47 to 87-53 69th Avenue, southwest corner, Block 3886, Lot 845, Forest Hills, Borough of Queens.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubricatorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laidover from July 22, 1958 to July 29, 1958, for inspection; hearing closed.

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.

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SUBJECT—Application November 21, 1956—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner, Block 4079, Lots 35, 36 and 37, Borough of The Bronx.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) South of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed.

53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection; hearing closed.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 5 construction less than 4 feet from Lot line.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.

PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.

PREMISES AFFECTED—1412 Bay Ridge Avenue south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.

SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic laundry and parking of cars awaiting service.

PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green, for Merry Twins, Inc., owner.

SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.

SUBJECT—Application reopened February 11, 1958, as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the open garage for more than five (5) motor vehicles into the adjoining lot.

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PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner. Block 5750, Lot 42, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for the manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence

use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed.

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

PREMISES AFFECTED—57 Park Avenue, eastside 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

Laid over from July 22, 1958 to July 29, 1958, in conjunction with Calendar Number 936-57-A, for inspection and decision; hearing closed.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

963-57-BZ—VOL. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirrillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution to permit in a residence use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed.

148-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a residence use district, the re-

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construction of a present gasoline service station and continue the uses of office, storage and sale of auto accessories, car wash—non automatic, minor auto repairs with hand tools only, lubritorium and the parking of more than five (5) motor vehicles awaiting to be serviced.
PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, New Dorp, Borough of Richmond.

Laid over from June 24, 1958, date to be set for inspection and decision; hearing closed; then set for July 22, 1958 at 10 A. M.; then laid over from July 22, 1958, to July 29, 1958 in conjunction with Calendar Number 382-58-A, for inspection and decision; hearing closed.

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co. Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re curb cuts located in the bed of a mapped street—proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michlena De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

Laid over from July 1, 1958, to July 22, 1958, for inspection and decision, hearing closed; then to July 29, 1958, for applicant to file revised plans as to location of building and for inspection and decision.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

ACTION OF BOARD—Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958.

931-57-BZ

APPLICANT—Albert Melniker, for The California Oil Co., owner; Isle Fuel Oil Service Co., lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking of more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—535 Vanderbilt Avenue and 1047 Van Duzer Street, northeast corner, Block 650, Lot 28, Concord, Borough of Richmond.

Laid over from July 1, 1958 for inspection and decision; date of decision to be determined; hearing closed; now set for July 29, 1958.

850-56-BZ

APPLICANT—Maurice G. Uslan, for Jewish Community Center, owner.

SUBJECT—Application December 7, 1956—decision of the Borough Superintendent under sections 7a and 21 of the Zoning Resolution, to permit in an E area district, the construction of a two story and part three story addition to an existing community center occupying more than the permitted area having less than the required setback, side yard and rear yard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

Laid over from July 8, 1958 for inspection and decision; date of decision to be determined; hearing closed; now set for July 29, 1958.

314-58-A

APPLICANT—Maurice G. Uslan, for Jewish Community Center, owner.

SUBJECT—Application May 12, 1958—filed pursuant to section 35, (3), General City Law—re alteration of existing building partially in bed of a mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

990-57-BZ

APPLICANT—Albert Melnicker, for Richmond Motor Fuels Inc. owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under sections 7c, 7e, and 7f of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and the parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing motor vehicle repair shop, located in the residence portion of the plot for a stated term of fifteen (15) years.

PREMISES AFFECTED—170-186 Gordon Street and 250-258 Broad Street, southwest corner, Block 563, Lot 72, Stapleton, Borough of Richmond.

Laid over from July 8, 1958 for inspection and decision; date to be determined; hearing closed; plans to be corrected to eliminate gas pumps now shown to be retained in front of the building used for motor vehicle repair shop; now set for July 29, 1958.

942-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools, sale of accessories and parking for more

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than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

Laid over from July 8, 1958, for inspection and decision; hearing closed; date for decision to be set; now set for July 29, 1958.

204-58-A

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application April 7, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street-proposed widening of Richmond Avenue.

PREMISES AFFECTED—3881 Richmond Avenue 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.

SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re signs, in vicinity of United Nations Headquarters.

PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

296-57-A

APPLICANT—George J. Steigerwald, owner.

SUBJECT—Application April 15, 1957—Appeal from an order of the fire commissioner, re use of premises as storage garage.

PREMISES AFFECTED—21-23 Coenties Slip, west side, 30 ft. south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.

PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

914-52-A—Vol. II

APPLICANT—Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.

SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent—re enclosed stairways.

PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of The Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner

SUBJECT—Application reopened December 17, 1957 as Vol. II—appeal from a decision of the Borough Superintendent—re: change in egress.

PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

475-55-A—Vol. II

APPLICANT—Harry A. Yarish, for Mar-Rin Realty Corp., owner.

SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superin-

tendent re Class III construction increase in height—
increase in number of beds, Nursing Home.

PREMISES AFFECTED—953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

369-58-A

APPLICANT—Leo M. Zamory, for Our Lady of Mercy Church.

SUBJECT—Application June 11, 1958—Appeal from a decision of the Borough Superintendent, re frame building, public use, live load, stairways.

PREMISES AFFECTED—2493 Marion Avenue, west side, 172.32 feet, north of East 188th Street, Block 3023, Lot 54, Borough of Bronx.

349-57-A

APPLICANT—Herman Kron, for Wallace Furniture Corp., owner.

SUBJECT—Application April 22, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—507 East 80th Street, north side, 148 feet east of York Avenue, Block 1577, Lot 7, Borough of Manhattan.

311-58-A

APPLICANT—Goldwater and Flynn, for Philip Spear, owner.

SUBJECT—Application May 19, 1958—Application to review a decision of the Borough Superintendent as to alteration in excess of 50% of valuation of buildings, sufficient to constitute a new building.

PREMISES AFFECTED—169-171 East 77th Street, north side, 150 feet west of 3rd Avenue, Block 1412, Lots 29 and 30, Borough of Manhattan.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

87-58-A

APPLICANT—Donald J. Colasano, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue Block 5379, Lots 4, 6 and 7,, Flushing, Borough of Queens.

313-57-A

APPLICANT—Addie Vallins, Inc., owner.

SUBJECT—Application April 17, 1957—Appeal from an order and a decision of the Borough Superintendent, re interior fire alarm system.

PREMISES AFFECTED—40 West 170th Street, northwest corner of Cromwell Avenue, Block 2871, Lot 94, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

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965-57-A

APPLICANT—Hetkin, Jervis and Hetkin, for Golf House, Inc., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction—public use.

PREMISES AFFECTED—40 East 38th Street, south side, 80 feet west of Park Avenue, Block 867, Lot 43, Borough of Manhattan.

340-58-A

APPLICANT—Merrill and Holmgren, for Brighton Heights Reformed Church, owner.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re frame structure—stair enclosure.

PREMISES AFFECTED—322 St. Marks Place, southwest corner of Fort Place, Block 16, Lot 68, St. George, Borough of Richmond.

341-58-A—Vol. II

APPLICANT—Tobias Goldstone for Young Israel of Flatbush, owner.

SUBJECT—Application reopened July 22, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in occupancy to public use, inadequate capacity of stairs, non-compliance of horizontal exit.

PREMISES AFFECTED—1300-1308 Coney Island Avenue, west side, 320 feet north of Avenue J, Block 6523, Lot 85, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, September 17, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station,

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with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the

Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars awaiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expired July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homcrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

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PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, September 17, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

506-55-SA

APPLICANT—Cole Products Corporation, owner.

SUBJECT—Application June 14, 1955—Cole Spa Coin Operated Automatic Cup Vendor, Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe, approval of.

695-55-SA

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner, Gas-fired Unit Heater, Model FDS-55, approval of.

718-55-SA

APPLICANT—Empire Stove Company, owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C, approval of.

933-55-SM

APPLICANT—Town House Fabrics Corporation, owner.

SUBJECT—Application November 18, 1955—Hanover Drapery Fabric, approval of.

487-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.

SUBJECT—Application June 21, 1956—Temco Radiant Vented Circulator Room Type Gas Heater, Models 304-4, 604-4 and 754-4, approval of.

CALENDAR

488-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.
SUBJECT—Application June 21, 1956—Temco Vented Circulator Room Type Gas Heater, Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4, approval of.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters and Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184, approval of.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Company, owner.
SUBJECT—Application January 11, 1957—Steelcraft Series 16B and 20B Doors, approval of.

561-57-SA

APPLICANT—Westinghouse Electric Corporation, owner.
SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

131-58-SA

APPLICANT—H. M. Ficker for Enterprise Engine and Machinery Company, owner.
SUBJECT—Application March 13, 1958—Enterprise Combination Gas-oil Burners, Types AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

985-40-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

538-45-SA

APPLICANT—Cyclotherm Division of National U. S. Radiator Corp., owner.
SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.
SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.
SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates ¾ Hour Double-Hung Window; previously approved.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re 1½ Hour Flush Type Door; previously approved.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homar, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wood Batts; previously approved.

286-49-SA

APPLICANT—Maytag Company, owner.
SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers, namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.
SUBJECT—Application reopening and amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door (1¼ inch thick), ¾, 1 and 1½ Hour Rating; previously approved.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.
SUBJECT—Application reopening and amendment of resolution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.
SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.
PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 23, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

CALENDAR

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and

maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

CALENDAR

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.

PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.

PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23,

1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

361-58-A

APPLICANT—Mastro Plastics Corp., owner.
SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.
SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, JULY 22, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, July 8, 1958, were approved as printed in the Bulletin of July 15, 1958, Vol. 43, No. 28.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold H. Fassler.

For Opposition: Frank Composto, Genevieve F. Savage, Augusta Gazzitto, Clara Geli, Mae Gazzillo, Frank Azzarello, Joseph Favoloro, John Chioco, Velo Pas-aloin, A. Mammino, Mary Michalonski, Josephine Capozzullo, Mary Passolacqua, Nancy Lucido and others.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.

SUBJECT—Application reopened February 11, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of open garage for more than five (5) motor vehicles into the adjoining lot.

PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Tricarico and Richard Stevens.

For Opposition: Thomas Russell Jones, Samuel Quarterman, George Edwards, Estella Johnson, Mrs. Edmond Purvis, Dorothy Ferguson Lowe, J. Daniel Diggs, City Councilman, Ruth Leach and Daniel Camola.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A.M. for inspection and decision; hearing closed.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green and Groh, for Merry Twins, Inc., owner.

SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh, Bernard Sussman and William Sussman.

For Opposition: Matty Piemonlese, Isabella Calisi, Zachary Sosis and Antonie Mueller.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. III—decision of the Borough Superintendent, under section 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner. Block 5750, Lot 42. Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick A. Ketcher and Joseph De Palma.

For Opposition: Electra DiGioca, Adeline Matera and Ann Romeo.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

MINUTES

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner.

SUBJECT—Application reopened September 25, 1956 as Vol. II—re decision of the Borough Superintendent under sections 21 & 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, east side, 240 feet north of Cortelyou road, Block 5369, Lot 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer and Joseph Moldau.

For Opposition: Louis C. Foreman, Jack Fogel, A. Spisto and Joseph A. Morano.

ACTION OF BOARD—Laid over to September 23, 1958, at 10 A. M. for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert T. Groh, Alex Eisenberg, Morris Rothman and Stanley Eisenberg.

For Opposition: Irwin Grinsberg, Sadie Sangiamo, Jean Sangiamo, Max Klayman, Louise & Vera Sangiamo, Esther Russo, Dorothy Klein, Israel Elias and Paul Cardone.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Sadie Eberman, Esther Weisfeld, Louise Marotto and Esther Meday.

For Administration: Hyman Cleon, Borough President's Office.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gaso-

line service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) south of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold Stern, Eugene Slonim, Wm. Calvert, Olga Onufrik, Edward Jablonski, Rose Joseph, Janet Rosenblatt, Yetta Herman, Mary Grand, Benjamin Leef and Joseph Weber.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners, Lessee Cities Service Oil Corp., 70 Pine St., N. Y. C., N. Y.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h, & 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board to the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Albert F. Proctor and Rev. Marcus Anderson.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A. M. for deferment of the decision by the Board at request of the applicant; hearing previously closed; applicant to file revised plans.

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.

SUBJECT—Application November 21, 1956—decision of the Borough Superintendent under sections 7f, 7i, 7e and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner, Block 4079, Lots 35, 36 and 37, Borough of the Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem, Samuel J. Nachwotte, Robert Weiss and Gerald Guerraro.

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

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PREMISES AFFECTED—57 Park Avenue, east side, 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alvin F. Gunther and Nathan L. Goldstein.

For Opposition: Paul J. Kern, Richard T. Gallen, Albert A. Raphael, Jr., William P. Horkans, and David R. Crow.

ACTION OF BOARD—Laid over to July 29, 1958 in conjunction with Cal. No. 936-57-A, at 10 A.M. for inspection and decision; hearing closed.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—**Appeal from** a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alvin F. Gunther and Nathan L. Goldstein.

ACTION OF BOARD—Laid over to July 29, 1958 in conjunction with Cal. No. 935-57-BZ, at 10 A. M. for inspection and decision; hearing closed.

963-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Louis L. Rosenberg.
For Opposition: Rose Kraus, Assemblyman John A. Monteleone, Senator Herbert I. Sorkin, Peter J. La Barbera, Joseph La Barbera, Frank J. Musarra, Jean De Luca, Sara Ribando, Anna Montanaro, Angelina Musarra, Marilyn Fileccia, Ann La Barbera and Ethel E. Mabie.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.

PREMISES AFFECTED—1412 Bay Ridge Avenue, south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

APPEARANCES—

For Applicant: Hannibal F. Zumbo.

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michelena De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 4440, Lot 27, Borough of The Bronx.

APPEARANCES:

For Applicant: P. D. Concagh.

For Opposition: Mary Maccarron, May Ciofalo and Yolanda La Monica.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for applicant to file revised plans as to location of building and for inspection and decision; hearing closed.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: M. M. Elkind.

For Opposition: Thomas A. Dent, La Rue Walczyk, Winifred Moorehead, William Reeves, Florence Konzet and Anna Meyer.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

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APPEALANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Francis L. Giordano, Councilman Geo. H. Hearn, Carmino Galvano, Gabriel Bonbimo, Francis Pellicano, Salvador Monteo, Anthony C. Merone, Joseph M. Sciana, Michael Rossetti, Rocco Abbte, Carlo Mal-tasa, Salvatore Coppola, Maria Pellicone, Irene Coppola and others.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction less than 4 feet from Lot line.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision in conjunction with Cal. No. 53-58-BZ; hearing closed.

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.

PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue, northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Leo Katzman.

For Opposition: C. J. Cammarata, New York City Housing Authority.

ACTION OF BOARD—Laid over to July 29, 1958, 10 A. M. for inspection and decision; hearing closed.

148-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the reconstruction of a present gasoline service station and continue the uses of office, storage and sale of auto accessories, car wash—non automatic, minor auto repairs with hand tools only, lubritorium and the parking of more than five (5) motor vehicles waiting to be serviced.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Laid over to July 29, 1958 in conjunction with Cal. No. 382-58-A, at 10 A. M. for inspection and decision; hearing closed.

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to

section 35, General City Law re curb cuts located in the bed of a mapped street—proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Philip J. Torina, Walter Bergner, Samuel Davidson and George Kellar.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Gerald Levy.

For Opposition: Margaret Phillips and Fanny Goldberg.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Curro.

For Opposition: Frances Privitera, Elizabeth Pozzuto, Lillian Mollo, Biago Santo, Minnie Rossano, Marie Ros-

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sano, Tom Lampone, Rose Gruendel, Achille D. Carluccio, Magdalene F. Hansen, Santo Santoro, Gertrude Cain, Josephine Rossi, Emily Mazzado, Bella Melworm, Ida Lucchesi, Modesto Berolini, Anna Rothenberk, Carmela Reilly, Harry H. Grice, Bernard Reilly, Aaron Melworm, Vincent Rubustelli and Robert Sabertini.
ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.
SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic auto laundry and parking of cars awaiting service.

PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish.

For Opposition: Frank Composto, Yolanda DiLorenzo, Rachel Cacciapuoto, Dorothy Diorio, Anita Zacevich, B. Migliore, Joseph Memoli, Domingo Gonzalez, Joseph Carravello, Vincent DiAmilio, Sophie Agacinski, Rev. Alphonse Sarnelli, Rt. Rev. Mons. Thomas Sala, Louis Agolia and Helen Grupinski.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

APPEARANCES—

For Applicant: H. E. Horwood.

For Opposition: Pietro Guglielmo and Angelina Covino.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 201.98 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman E. Horwood.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision, in conjunction with Cal. No. 238-58-BZ; hearing closed.

116-33-BZ

APPLICANT—Joseph Lau, for Lurose Realty Corp., United States Trucking Corp., lessee.

SUBJECT—Application reopened June 17, 1958 for consideration of extension of the term of variance, expired March 2, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business use district, the extension of an existing garage for more than five (5) motor vehicles—

pleasure type and fifteen (15) trucks in the ownership and control of the owner—granted by the Board under Cal. No. 30-430-BZ. Resolution amended to include storage of more than five trucks by a trucking concern for a term of five (5) years.

PREMISES AFFECTED—50-56 Downing Street and 214-218 West Houston Street, north side, 159 feet 6¾ inches east of Varick Street, Block 528, Lots 13, 28, 29, 30 and 31, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau and Frank J. Alberti.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, on April 10, 1934, as amended to March 2, 1948, this application was granted by the Board on certain conditions, under Sections 7e and 21 of the Zoning Resolution, to permit in a business use district the extension of an existing garage for more than five motor vehicles of the pleasure type, and fifteen trucks in the ownership and control of the owner, granted by the Board under Cal. No. 304-30-BZ; Resolution amended to include storage of more than five trucks by a trucking concern for a term of five years, affecting premises 50-56 Downing Street and 214-218 West Houston Street, north side, 159 feet 6¾ inches east of Varick Street, Block 528, Lots 13, 28, 29, 30 and 31, Borough of Manhattan; and

WHEREAS, the applicant requested reopening of this application and extension of the term of variance for a period of years ending May 14, 1963, which had expired by time limitation March 2, 1958; and

WHEREAS, this application was reopened on June 17, 1958 and set for hearing on July 22, 1958 at 10 A. M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated May 28, 1958 acting on Alt. Applic. No. 268-33, reads:

"Application for a Certificate of Occupancy to supersede C. O. #34275 is denied as the term of variance granted by the Board of Standards & Appeals under Cal. #116-33-BZ has expired (March 2, 1958).

Refer back to the Board for an extension of the variance." and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board, and

WHEREAS, the Board found that extension of the variance should be granted for continuation of the same use.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 10, 1934, as thereafter amended by resolutions adopted through March 2, 1948, only insofar as it has reference to the term of the variance so that as amended this portion of the resolution shall read:

"granted under Section 7e for a term of ten years from the date of this amended resolution; and that all permits shall be obtained and all work completed within the six months from the date of this amended resolution and that a new certificate of occupancy shall be obtained."

674-49-BZ—Vol. II

APPLICANT—Patrick D. Concagh, for Saverio and Peter Boffoli, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a

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residence use district, the erection and maintenance of a one-story structure for use as stores, storage of beer and soda, loading and unloading with patron parking and curb cuts for commercial use for a stated term of fifteen (15) years.

PREMISES AFFECTED—4391-4399 Baychester Avenue and 1960-1968 Nereid Avenue, southwest corner, Block 5056, Lot 38, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,
Commissioner Kleinert, Commissioner Foley and
Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 21, 1958 subject to regular procedure, to consider a new proposal; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Nereid Avenue are in a residence use, C area, class 1 height district; Baychester Avenue and Edson Avenue are in a residence use, C and D area, class 1 height district; Pitman Avenue is in a residence use, D area, class 1 height district; that on July 25, 1916 Nereid Avenue was in a business use district; that Baychester Avenue, south of Nereid Avenue, was in a residence use district, but north of Nereid Avenue the zone designation was business; that on October 28, 1926 the business use was extended along Baychester Avenue as far south as Bussing Avenue; that on January 20, 1927 this business use was further extended southward for its entire length and remained in this condition until July 25, 1957 when it was rezoned for residence use, its present designation; that there is no petition pending at the present time for any change in zoning; and

WHEREAS, the decision of the Borough Superintendent, dated December 20, 1957 acting on N.B. Applic. No. 1529-57, reads:

"1. The proposed use and occupancy of the lot in a residential use district as stores and storage of beer and soda, loading and unloading and parking of patrons cars is contrary to Article II Section 3 of the Zoning Resolution.

2. The proposed curb cut in a residential use district for commercial use is contrary to Article II Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 90 feet frontage by 100 feet in depth, presently vacant; that it is proposed to use the premises for the erection and maintenance of a one story structure, to be used as two stores and storage space for the retail sale, storage and distribution of beer and soda; and

WHEREAS, the applicant states that the owners of the subject premises have been in the business of retail sale and distribution of beer and soda during the past ten years in their present quarters at 4642 Garden Place, The Bronx, which is a short distance away from the subject site; that they have been carrying this business under the firm name and title of Wakefield Beer Distributors; that they need larger quarters for an expanding business, which is not available in their present location which they rent, and do not own; that because of restricted space and the poor business location on Garden Place; they decided to purchase some available property in the neighborhood that would serve their own needs, as well as their customers' needs; that they made diligent inquiries before purchase as to whether the subject site was suitable for the purposes in-

tended; that the site was located, at the time they negotiated for its purchase and when they took title, in a business use district, so that there was no objection to location insofar as the Zoning Resolution was concerned, nor did they know that any application for change of zone was pending, otherwise they would not have bought this property; that the owners took title to the property on May 8, 1957, and on July 25, 1957, nearly three months later, the use district designation was changed from business to residence; that they were thus stopped from using the property for the purposes intended, except through an application to this Board; and

WHEREAS, the applicant further states that the area surrounding the site, particularly along Baychester Avenue, consists of vacant and undeveloped land; that the entire block front along Baychester Avenue is vacant; that except for the subject site, lot No. 1 in block 5094 and lots 35 and 36 in block 5057, the City of New York owns the entire frontage on Baychester Avenue, both sides of the avenue; that the City also owns lot 8 in block 5093, lot 6 in block 5094, lot 34 in block 5056 which adjoins the subject site at the rear, and lot 39 in block 5057, all corner lots; that even the subject site was at one time owned by the City before it was sold at a tax sale to one Frances Miller, who later sold it to the Don Maxim Holding Co. Inc.; that the present owners acquired it from this company; that the area to the east and to the west along DeReimer, Edson and Grace Avenues is residential; and

WHEREAS, the applicant contends that the owners have suffered a severe hardship in the purchase of this property, which was done in good faith; that they cannot use it for any conceivable conforming use; that both Baychester and Nereid Avenues are busily trafficked highways, particularly Baychester Avenue; that it is 100 feet wide and runs in a straight line from northern Bronx and Westchester directly into Boston Road and the new Thruway; that with the opening of The New England Thruway, it will become an important link in the chain of feeder lines serving the Thruway; that auto traffic will greatly increase, making it very undesirable for development for residential purposes; and

WHEREAS, the applicant states that the present owners have held title to the property since May 8, 1957 and that the assessed valuation of land is \$9,400; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on NB App. 1529-57, Objection No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

426-57-BZ

APPLICANT—Patrick D. Concagh, for Moschella Homes, Inc., owner.

SUBJECT—Application June 6, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D-1" area district, the erection of a one story class 3 building to be used for eight (8) retail stores and occupying more than the permitted area.

PREMISES AFFECTED—2509-2519 Eastchester Road, west side, 100 feet north of Mace Avenue, Block 4480, Lot 78, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: None.

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ACTION OF BOARD—Application denied. THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating,
Commissioner Kleinert, Commissioner Foley and
Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 3, 1957 after due notice by publication in the Bulletin; and laid over to December 10, 1957 at 10 A. M. for inspection and decision; hearing closed; then for a date to be determined; then on December 17, 1957 application was withdrawn; and

WHEREAS, this application was reopened, subject to regular procedure, having been withdrawn at the suggestion of the Board on December 17, 1957 as amended by Resolution adopted May 6, 1958, correcting the action of the Board of March 18, 1958 as follows:

“Resolved, that the Board of Standards and Appeals does hereby correct the resolution adopted by the Board on March 18, 1958, so that as corrected the action of the Board shall read as follows:

‘1. Application reopened subject to the regular procedure waiving the requirement for plans and photographs unless there have been changes in the area; and

‘2. requiring new decision of the Borough Superintendent; and that the list of owners is to be checked as to any changes that may have occurred since the previous filing.’”

and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, D-1 area, class ½ height district; that on July 25, 1916 Eastchester Road for 100 feet in depth was placed in a business use district; that the area and height district designations were C and class 1 respectively; that on July 20, 1942 the height district designation was changed to class ½, its present designation; that on July 17, 1947 Eastchester Road, on both sides of the street, was changed to residence use, with the exception of the four corners at the intersection of Mace Avenue, which were zoned for local retail use to a depth of 100 feet by 100 feet; that on this same date, the area designation was changed from C to D-1, the present designation; that subsequently, on April 29, 1954 the local retail district was extended southward along the easterly side of Eastchester Road from Mace Avenue to within 200 feet of Waring Avenue to a depth of 200 feet; and

WHEREAS, the decision of the Borough Superintendent, dated May 28, 1958 acting on N.B. Applic. No. 575-57, reads:

“1. Proposed construction for stores and storage in a residence use district is contrary to Art. II Sect. 3 of the Z.R.

“2. In a D-1 district, area coverage over 45% of the area of the lot is contrary to Art. IV Sect. 14-A of the Z.R.”

and

WHEREAS, the applicant states that the premises consist of a plot, 104.23 feet frontage by 100 feet in depth, the rear lot line being 92.01 feet in width; that it is proposed to erect a one story concrete block and brick building containing eight stores; that the proposed building will be 104.23 feet in street frontage by 60 feet in depth; that the open unoccupied space at the rear, which will serve as a yard, will be 40 feet in depth; and

WHEREAS, the applicant states that the subject site is situated alongside a building containing several retail stores; that the last of these stores, which adjoins the site, is occupied by a bar and grill; that north and south of Mace Avenue, both sides of Eastchester Road are developed with

a number of retail stores, about 25 or more, which include such businesses as drug stores, barber shops, restaurants and a bar and grill; that a supermarket operates directly across the street from the site; that except for these stores, the surrounding area is residential; that a bus line operates along Eastchester Road; that this is the shopping center for the area and serves the needs of the large residential community to the east and to the west of Eastchester Road; and

WHEREAS, the applicant contends that the proposed use cannot possibly affect any adjoining properties, since the adjoining plot to the south is developed with uses similar to the use proposed; that the store next to the site is occupied by a bar and grill, and in fact, on both sides of the street, for a considerable distance southward, the area is developed with stores; that the extension of the local retail zone in 1954 is a recognition by the City Planning Commission that Eastchester Road at this point is fast developing into a retail district; that the owner has given considerable thought to the development of this plot; that a conforming use would be economically unrealistic; that this is due to its close proximity to business uses and particularly to the bar and grill next door, which makes it undesirable for residence use; that also, the present high costs of building construction and the difficulty of financing such a project makes such a proposal impractical, if not impossible; that therefore, the zoning of the site for residential use, alongside of business uses which exist right up to his lot line, poses a problem for the owner and inflicts a serious hardship upon him due to the application of the Zoning Resolution; and

WHEREAS, the applicant states that the area of the plot is 9,812 square feet and the permissive coverage is therefore 4,415.40 square feet; that the proposed building will occupy approximately 6,037 square feet, or an excess of 1,622 square feet over that which is permitted under Section 17A of the Zoning Resolution; that the building will extend for a distance of 60 feet towards the rear of the lot, leaving a yard space of 40 feet, which is ample to provide sufficient light and ventilation; that this encroachment towards the rear of approximately 15 feet is necessary in order to provide sufficient and usable space for prospective tenants, who otherwise would be disinclined to rent; that the building as designed, will provide an attractive appearance to the neighborhood and thus act as a buffer for the residential area to the north; and

WHEREAS, the applicant states that the present owner has held title to the property since January 10, 1956 and that the assessed valuation of land is \$8,600; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommends that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the ground of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. #575/57, Objection Nos. 1 and 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

756-57-BZ

APPLICANT—Paul Friedman, for Mary Falco, owner.
SUBJECT—Application October 23, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit for a term of (15) fifteen years in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, sale and storage of auto accessories.

PREMISES AFFECTED—132-140 East 107th Street and 1710-1712 Lexington Avenue, southwest corner, Block 1634, Lot 158, Borough of Manhattan.

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APPEARANCES—

For Applicant: Arthur Levine.

For Opposition: None.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Lexington Avenue are in a local retail use, B area, class 1½ height district; East 107th Street and East 106th Street are in business and local retail use, B area, class 1½ height districts; Park Avenue is in a business use, B area, class 1½ height district; that as of July 25, 1916 the premises was zoned as a business use district, a class 1½ height district and a B area district; that on June 15, 1956 the business use district designation was changed to a local retail use district designation; that the height and area district designations have not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated October 10, 1957 acting on N.B. Applic. No. 109-57, reads:

"1. In a Local Retail use district the proposed gasoline service station, lubritorium, minor repairs with hand tools only, office, sales and storage of auto accessories, is contrary to Article II Section 4c of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 34 feet 3 inches in depth, presently developed with a one story dining car erected in 1952, for which Certificate of Occupancy No. 40430 was issued on November 6, 1952; that there are also two billboard signs erected on the wall of the adjoining building—block 1634, lot 157—with a platform for illumination of these signs, which platform and signs extend over the subject premises; that there are no records in the Department of Buildings to indicate approval for this sign use; that it is proposed to remove the existing dining car and illumination platform and billboard signs, and to erect and maintain for a stated term of fifteen years, a gasoline service station, lubritorium, minor repairs with hand tools only, office, sales and storage of auto accessories; and

WHEREAS, the applicant contends that there is no economic demand for the development of the subject premises for a conforming local retail or residential use; that efforts to sell, lease or develop the property for a conforming use have failed to produce a use that would yield a reasonable return on the investment, now or in the foreseeable future; that there is an economic demand for the development of the premises for a gas station, and the property, although small, is highly desirable for use as proposed; that a grant of the instant application would have no adverse effect upon nearby properties, and it would provide more light and ventilation to nearby properties than if the property were developed with conforming buildings; that a grant would safeguard, rather than jeopardize pedestrian and automobile traffic safety; that being essentially an open lot use, it would provide better visibility at the intersection to pedestrians and motorists; that by the elimination of curb parking near the intersection, it would protect pedestrians crossing streets; and

WHEREAS, the applicant states that the present owner has held title to the property since February 1, 1951; that the assessed valuation of land is \$15,500 and of the building \$4,000 making a total of \$19,500; that the building was erected in 1952; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received October 23, 1957", 4 sheets, and "March 28, 1958", one sheet, *on condition* that all buildings and uses on the premises shall be removed and the premises shall be graded to the grade of Lexington Avenue and East 107th Street and shall be arranged and constructed as indicated on the plans above cited; that the accessory building shall comply with the requirements of the Building Code and shall have no cellar and shall be of the design and arrangement as indicated on such plans and shall be faced with face brick on all exposed sides; that pumps shall be of a low approved type erected where shown and not less than the distance as indicated on such plans; that the number of gasoline storage tanks shall not exceed ten 550 gallon approved tanks; that along the lot line wall to the south there shall be a planting area against the adjoining three-story masonry building not less than three feet in width with protective curbing to a height of not less than twelve inches; that curb cuts shall be restricted to one curb cut to Lexington Avenue not over 25 feet in width and two curb cuts to East 107th Street not over 20 feet in width each, where shown, with no portion of any curb cut nearer than five feet to a lot line as prolonged; that at the intersection there shall be erected a block of concrete extending for a distance of five feet in either direction from the intersection and not less than twelve inches in height; that the balance of the premises where not occupied by accessory building and pumps shall be surfaced with concrete or asphaltic pavement; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs and advertising devices but permitting the erection of one post standard at the intersection, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend at right angles to Lexington Avenue for a distance of not more than four feet beyond the building line; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that under Section 7i there may be, for a similar term, repairing carried on solely within the accessory building with hand tools only for adjustments; that the platform on the adjoining building and signs above shall be removed; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall require; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

938-57-BZ

APPLICANT—Leonard F. Rothkrug, for Bel-Harb Corporation, owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, an increase in the number of apartments in an existing five story multiple dwelling from 38 to 43, the additional apartments are to be part of the basement reconstruction.

PREMISES AFFECTED—123-11 Rockaway Beach Boulevard, southeast corner of Beach 124th Street, Block 763, Lot 1, Belle Harbor, Borough of Queens.

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APPEARANCES—

For Applicant: Leonard F. Rothkrug and Morris Turkowitz.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Rockaway Beach Boulevard, Beach 124th Street and Beach 123rd Street are in a residence use, E-1 area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 9, 1957 acting on Alt. Applic. No. 2208-57, reads:

"1M—Proposed alteration to increase the number of dwelling units within an existing Multiple Dwelling located in an E-1 zone is contrary to Art. IV, Sec. 15A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth, on which is located a five story multiple dwelling erected under N.B. Applic. No. 11599-27 and used and occupied as a multiple dwelling in accordance with Certificate of Occupancy No. 38052 issued October 2, 1928; that it is proposed to increase the number of apartments within the envelope of the existing building; and

WHEREAS, the applicant further states that the premises is in an E-1 area district, and the Zoning Resolution provides that in an E-1 area district no dwelling shall be altered other than for occupancy by a single family or by two families; that in view of the fact that the multiple dwelling was erected prior to the time the premises was rezoned into E-1, then it may be maintained as a prior existing non-conforming building; and

WHEREAS, the applicant contends that it is not proposed to extend the building in either height or area; that the exterior of the building will not be altered; that the area district regulations were enacted for the purpose of regulating the area of yards, courts and other open spaces for buildings erected after the effective date of the Zoning Regulations; that since it is proposed to increase the number of dwelling units within the existing envelope of the building, there will therefore be no diminution of the area of yards, courts and other open spaces; that all existing yards, courts and other open spaces will be maintained without any change whatsoever; that a grant of the variance will not adversely affect any of the surrounding property owners; that the building is not proposed to be enlarged or increased in height or area; that there will be no loss to adjoining property owners of any light, air or ventilation; that this entire neighborhood was almost completely developed prior to the E-1 zoning; and

WHEREAS, the applicant states that the present owner has held title to the property since June 21, 1957; that the assessed valuation of land is \$27,000 and of the building \$108,000 making a total of \$135,000; that the building was erected in 1928; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21,

to permit the proposed alteration of the building, as indicated on plans filed with this application, marked "Received December 19, 1957", 1 sheet, and "June 12, 1958", 7 sheets, on condition that such work shall be carried out as proposed and as would be permitted if the area were zoned for E instead of E-1; that the work shall be in compliance with the multiple dwelling law and the Building Code; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

940-57-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Frank Letizia, doing business as Rainbow Beverage Co., owner.

SUBJECT—Application December 19, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a soda bottling factory for a term of twenty (20) years.

PREMISES AFFECTED—2254 Light Street and 3787 Merritt Avenue, southwest corner, Block 4951, Lot 47, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Light Street, Merritt Avenue, Rombouts Avenue and Connor Street are in a residence use, A area, class 1½ height district; that on July 25, 1916 the premises was in an unrestricted use district and was rezoned to its present designation on October 29, 1951; and

WHEREAS, the decision of the Borough Superintendent, dated December 13, 1957 acting on N.B. Applic. No. 1359-57, reads:

"1. The proposed manufacturing building in a residence use district is contrary to Article II Sec. 3 of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, presently vacant; that it is proposed to construct a one story building, 50 feet by 100 feet in area, to be occupied by the owner as a soda bottling factory; and

WHEREAS, the applicant states that the owner presently conducts business under the trade name of Rainbow Beverage Company and has been in business at 2240 Light Street, Block 4951, Lot 41, within this tax block since 1939; that he proposes to maintain his present building principally for storage use and to construct the new one story building proposed herein, for soda bottling use; that these premises and the entire surrounding area was in an unrestricted use when the Zoning Maps became effective on July 25, 1916; that similarly these premises and the entire area was zoned unrestricted when this owner first went into business at 2240 Light Street in 1939; that the zoning change became effective in 1951, so that at any time prior to that date, the proposed use would have been a conforming use; that similarly, the existing use at the present nearby location is a legal non-conforming use since it was legally established prior to the change of zone; that the zoning pattern of this area, and particularly Light Street, is unusual and unique; that the north side of Light Street was rezoned from unrestricted to manufacturing, so that the premises opposite the site is

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in a manufacturing use district and a considerable area to the east is likewise in a manufacturing use district; and

WHEREAS, the applicant contends that a grant of the variance will not adversely affect surrounding properties as this general area is not heavily developed; that in fact, Merritt Avenue is unopened and unpaved south of the site; that nevertheless, the proposed use will not adversely affect any possible new development to the south; that no loading or unloading is proposed on Merritt Avenue, and there will be no show windows or business openings along Merritt Avenue, except for a required emergency fire exit; that the existing buildings along both sides of Light Street were erected when the premises and the entire area was in an unrestricted use district, so that the proposed use would have been permitted; that the premises cannot be economically devoted to a conforming use; that Light Street has developed as a business street; that the manufacturing zoning directly opposite the premises on Light Street makes development of the premises with a residence use, impractical and improbable; that there is considerable vacant land to the south of the site on a non-business trafficked thoroughfare which would be more desirable for residence development; that the owner has been in business on this tax block for almost twenty years; that the subject site is the nearest vacant property to his present site which could be purchased for development with his use; that the natural business growth necessitates the proposed expansion; that when the owner first went into business, his present site and the proposed site were in an unrestricted zone; that the change in zone was not effected until more than ten years later; and

WHEREAS, the applicant states that the present owner has held title to the property since November 19, 1956 and that the assessed valuation of land is \$2,300; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of twenty years to permit the construction of a building as proposed and as indicated on plans filed with this application marked "Received December 19, 1957", 3 sheets and "May 28, 1958", one sheet, *on condition* that the building in all other respects shall comply with all laws, rules and regulations applicable thereto and shall comply in all other respects with the Zoning Resolution; that the use proposed to be moved from this building to the building now occupied by this owner on Lot 41 in the same block, Block 4951, shall be used as the main location and the former building on Lot 41 may be used in connection therewith but for storage only without signs; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

999-57-BZ

APPLICANT—Elias K. Herzog, for William W. Brill, et al., owners. Muriel S. Kessler and Rose H. Yarmark, partners.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises, after demolition of the existing tenement building, for the parking and storage of more than five (5) motor vehicles for a stated term of ten (10 years.)

PREMISES AFFECTED—136 Sullivan Street, north side, 75 feet west of Prince Street and 197 Prince Street, west side, 100 feet north of Sullivan Street, Block 518, Lots 41 and 46, Borough of Manhattan.

APPEARANCES—

For Applicant: Elias K. Herzog.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, MacDougal Street, Prince Street, West Houston Street and Sullivan Street are in a residence use, C area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 3, 1957 acting on Alt. Applic. No. 1067-57, reads:

"2. Proposed parking lot for parking and storage of more than (5) five motor vehicles, located in Residence Use District, is contrary to Article II Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consists of a plot, 25 feet frontage, by 100 feet and 125 feet in depth, originally occupied by two old law tenement buildings; that the building on Prince Street was recently torn down in compliance with an Unsafe Order from the Building Department; that it is proposed to use the premises for parking and storage of more than five motor vehicles, for a period of ten years; and

WHEREAS, the applicant states that the present owners purchased the property with the intention of fixing up the building on Sullivan Street, calculating, that by maintaining the existing occupancy of apartments and stores, and using the lot facing Prince Street, which is the site of the demolished structure, for parking of the tenants' cars for private parking in connection with the apartment occupancy, they will receive a fair return on their investment; that however, the building proved to be beyond repair, except with an expenditure exceeding that for an entirely new structure; that no financial institution would enter into a mortgage commitment, even for a new structure, in this locality at the present time; that the building has been vacated due to the Unsafe Order of the Building Department and there is no alternative but to demolish the structure; and

WHEREAS, the applicant contends that in order to keep up with the payment of City taxes and to hold on to the property, the owners have to derive some income from same; that the erection of a residence structure on this premises would not constitute a sound investment, at least not at the present time nor in the foreseeable future; that a parking lot in this area would afford some relief from traffic congestion and would be an improvement over a vacant lot which may turn into a dumping ground; and

WHEREAS, the applicant states that the present owners have held title to the property since June 14, 1957; that the assessed valuation of land is \$24,000 and of the buildings \$5,500 making a total of \$29,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for parking and storage of motor vehicles limited to the pleasure

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car type as shown on plans filed with this application marked "Received May 23, 1958", 3 sheets, *on condition* that all uses and buildings now on the premises shall be removed and the premises shall be leveled substantially to the grade of Sullivan Street and Prince Street and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that on the interior lot lines where walls of adjoining buildings do not occur there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than five feet six inches; that a similar fence shall also be erected across the street lines both on Prince Street and Sullivan Street fronts with no openings therein except one opening in each such location for entrance and exit not exceeding ten feet in width and fitted with gates with curb cut opposite not exceeding twelve feet in width; that during the term of this variance the premises shall not be occupied for any use other than as herein permitted and no buildings shall be erected thereon except there may be an office and shelter for the attendant erected where shown not over one hundred square feet in area and not over one story in height; that signs shall be restricted to a permanent sign attached to the fence on each street advertising the parking and storage use and the rates charged and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet and shall not be illuminated and shall not extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a certificate of occupancy shall be obtained.

5-58-BZ

APPLICANT—Patrick D. Concagh, for Saverio S. Pisscane, owner.

SUBJECT—Application January 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) cars on a vacant plot of land.

PREMISES AFFECTED—717-719 East 217th Street, north side, 130.35 feet east of White Plains Road, Block 4665, Lots 40 and 43, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Barnes Avenue are in a residence use, C area, class 1¼ height district; East 217th Street and East 218th Street are in business and residence use, C area, class 1¼ height districts; White Plains Road is in a business use, C area, class 1¼ height district; that these designations go back to 1916 without change, and there is no petition pending which might affect these designations; and

WHEREAS, the decision of the Borough Superintendent, dated December 23, 1957 acting on Alt. Applic. No. 1164-57, reads:

"1. In a residence district the proposed parking of motor vehicles is contrary to Sect. 3, Art. II of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist

of a plot, 100.14 feet frontage by 114.31 feet in depth; and

WHEREAS, the applicant states that the present owner purchased the site from The City of New York in May of 1957, which site the City had previously acquired in an In Rem proceeding for non-payment of taxes; that since the site is adjacent to his home, the owner bought it as an investment for the future; that he realizes that there is a public need in this area for off street parking facilities; that the site is located 130 feet east of White Plains Road, which is the shopping center for this area; that in fact, it is situated directly at the rear of the F. W. Woolworth store which occupies the northeast corner of White Plains Road and East 217th Street; that White Plains Road, at this point, is developed with a number of retail stores and supermarkets; that it is very heavily trafficked highway and because of this and the fact that the elevated structure of the east side subway runs along here, the street parking problem is very acute; that shoppers as well as owners of small stores along the avenue prefer to use the side streets to park their cars; that this often results in great inconvenience to abutting owners along these side streets who find passage to their properties blocked; and

WHEREAS, the applicant contends that a grant of this application will serve a public need by providing off street parking facilities to these owners and shoppers; that it will not adversely affect adjoining properties because of its location at the rear of retail stores; that it should not adversely affect residential properties at the rear of the site, facing East 218th Street, since these properties have garages along their rear lot lines which act as a buffer; that it will help keep this property on the City's tax rolls and at the same time realize for the owner a fair profit on his investment; and

WHEREAS, the applicant states that the present owner has held title to the property since May 15, 1957 and that the assessed valuation of land is \$4,200; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for parking and storage of motor vehicles of the pleasure car type as indicated on plans marked "Received Jan. 8, 1958", 2 sheets and "May 21, 1958", one sheet; *on condition* that all uses on the premises shall be removed and the premises shall be graded to the grade of East 217th Street and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on all lot lines where masonry walls of adjoining buildings do not occur a woven wire fence of the chain link type on a masonry base to a total height of not less than five feet six inches with no openings therein except one opening at the front for entrance and exit which shall be fitted with gates which shall be not over ten feet in width and with existing curb cut opposite not over 14 feet in width; that bumpers shall be maintained at all points against the fences and walls for protection thereto and a suitable distance away; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that during the term of this variance the premises shall be occupied for no other use than herein permitted; that signs shall be restricted to one sign attached to the fence at the gate advertising the parking and storage use and the rates charged; that such sign shall not extend beyond the building line and shall not be illuminated; that such sign shall not exceed five square feet; and that all permits required shall be obtained and all work completed and a certificate of occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

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10-58-BZ

APPLICANT—J. Berman, for John Zengel, owner; Rego Forest, lessee.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story masonry addition and extend the use of the gasoline service station to include an automatic auto laundry.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Jacob Berman, Salvatore Congeni and Frank Zwelsky.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958, after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; hearing closed; then to July 22, 1958, for applicant to submit revised plans for car washing building and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Alderton Street and Woodhaven Boulevard are in business and residence use, D area and class 1 height districts, Yellowstone Boulevard is in a business use, D area and class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 7, 1958, acting on Alt. Applic. 2518/57, reads:

"1. Increase in area and use of existing gasoline selling, greasing, office, store, laundry, tire and battery service, automatic laundry and motor repairs in a business district extending into residence district is contrary to Art. II, Sections 3 and 4 of Zoning Resolution."

WHEREAS, the applicant states that the premises consist of a plot 154.83 feet frontage, by 106.75 feet in depth, occupied with a gasoline service station; and

WHEREAS, the applicant contends that the property in question has been acquired by the present owners, March 11, 1955 and the existing gasoline station and auto laundry was constructed under plan N.B. #801/36 and a Certificate of Occupancy #5668/37 was obtained; that at the time the area of the premises was unrestricted; that on February 5, 1940, Zoning change was made effective, changing area to business 100 feet in depth and residence in rear; that our existing auto laundry is not automatic and therefore is not efficient or profitable; that in order to convert our present operation into an automatic auto laundry, we propose to construct a one story masonry addition to our existing one story masonry gasoline station; that this new one story masonry structure will encroach slightly on the newly zoned residential area in the rear; and

WHEREAS, the applicant states that the present owner has held title to the property since March 1, 1955; that the assessed valuation of the land is \$20,000 and of the building \$8,000, making a total of \$28,000; and that the building was erected in June 3, 1937; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted on condition, subject to the filing an administrative appeal in connection with the proposed street across the site under Section 35 of the General City Law; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c, to permit the extension of the building, as proposed and shown on revised plans, marked "Received July 21, 1958", 4 sheets and plans previously filed marked "Received May 16, 1958", 8 sheets, on condition that such extension shall be constructed where shown and of the dimensions shown on revised plans above cited marked "Received July 21, 1958"; that such addition shall comply with the requirements of the Building Code; that there shall be no openings in the wall of such building on the lot lines to the east and north; that such building shall be used solely for the automatic washing of motor vehicles and the space in the present accessory building formerly used for such use shall be discontinued for such use; that the balance of the premises shall be paved with concrete or asphalt; that in all other respects it shall comply with the requirements of the permit originally permitting the construction of this gasoline station and accessory building; that all steam work, cleaning and washing shall be done solely within the accessory building and no such washing or operations connected therewith shall be done in the open; that ventilation shall be provided with fan and ducts exhausting toward Woodhaven Boulevard which shall be operated when cars are being steam cleaned; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

126-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Celia Katz, owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a four story building with basement and cellar, the change in use of the basement from doctor's office and apartment to dressmaking and sales and the change in use of the first floor from two apartments to Photo Studio and Beauty Salon and the upper floors to retain their use as apartments.

PREMISES AFFECTED—38 East 63rd Street, south side, 182 feet east of Madison Avenue, Block 1377, Lot 45, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Park Avenue are in a residence use, B area, class 1½ height district; East 62nd Street and East 63rd Street are in residence and restricted retail use, B area, class 1½ height districts; Madison Avenue is in a restricted retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 26, 1958 acting on Alt. Applic. No. 1546-57, reads:

"A-3. Proposed dressmaker, photo studio and beauty salon in a residential use district is contrary to Sec. 3 of Article II Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 18 feet frontage by 100 feet 5 inches in depth,

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presently developed with a four story and basement building of class 3 construction; that it is proposed to maintain, for a temporary period of ten years, the present uses of cellar—boiler room and storage; basement—custom dressmaker and sales; first floor—photo studio and dwelling and beauty salon; second floor—two families; third floor—one family; fourth floor—one family; that it is also proposed to maintain the three existing 6 inch by 18 inch directory signs on the front of the building; and

WHEREAS, the applicant states that building records show that said building was erected under N.B. Applic. No. 438 of 1880 for use as a one family dwelling; that records further show that under Alt. Applic. No. 2114-50 the building was altered and the use changed from one family dwelling to cellar—boiler room and storage; basement—one doctor's apartment and office; first floor—two apartments; second floor—two apartments; third floor—one apartment; fourth floor—three class B rooms; that Certificate of Occupancy No. 39623 was issued March 21, 1952 for these uses; and

WHEREAS, the applicant contends that although the site is located in a residence use district, the illegal use on the basement floor of custom dressmaker and sales and the illegal uses on the first floor of photo studio and beauty salon are the type of businesses that are within keeping in a residence use district, and would not have any more of an adverse effect upon the adjoining properties than would the many hotels within the affected area that are permitted business uses in a residence district; that the businesses in this building are run on a very small scale and by appointment only; that there is no rush of traffic or people in or out of this building that would indicate any other use of this building except as a residence; and

WHEREAS, the applicant states that the present owner has held title to the property since August 15, 1956, that the assessed valuation of land is \$36,000 and of the building \$35,000 making a total of \$71,000; that the building was erected in 1880; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 1546-57, Objection No. A-3 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessee.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than five (5) cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick Ketcher.

For Opposition: Josephine DeLay, Julia Chiappino Soraccol and Irene Garry.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 8, 1958, for inspection and decision;

hearing closed; then to July 22, 1958, for further inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Grand Concourse, East 201st Street, East 202nd Street and Valentine Avenue are in a residence use, D area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 18, 1958 acting on Alt. Applic. No. 171-58, reads:

"1. Extension of funeral home & undertaking establishment, with 3 car garage storage & preparation room in cellar, and caretakers' apartment, in a residence use district is contrary to Art. II Sec. 3 of Z.R.

"3. Patron parking for more than 5 motor vehicles in a residence use district is contrary to Art. II Sec. 3 of Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 69 feet 5 inches frontage by 100 feet 1 inch in depth; that it is proposed to demolish the garage at the rear of the premises and erect a one story masonry extension to the existing legal funeral parlor and undertaking establishment; that it will be built of face brick with stone trim; that the brick facade of the extension on 201st Street will include the front of the existing parlor; that the entire plot will be landscaped professionally; and

WHEREAS, the applicant states that permits were issued continuously and without interruption by the New York State Department of Health for use of the premises at 203 East 201st Street, The Bronx, from 1914 to date, for a funeral home; that the only available records of the New York City Health Department show that permits were issued for use of said premises from 1927 to date as an undertaking establishment; and

WHEREAS, the applicant further states that this building has been the funeral parlor of the Sexton for the Church of St. Philip Neri; that John Fox, the lessee, is the present Sexton; that it has been in existence for 44 years; that because of the changing times and population growth over these 44 years, the existing frame personal and old fashioned funeral parlor has become completely outmoded and inadequate; that this existing unattractive parlor has compelled many of the parishioners to go to distant parlors to the great inconvenience and discomfort of all concerned, and in order to keep pace with the changing times and local demands, it is now necessary to provide the proper facilities; that modernization is imperative; that the desirable decor for today's funeral home dictates a quiet residential exterior and a completely air conditioned interior with the most modern accommodations; that the extension is designed solely to serve the local parish and it would be a decided convenience and would contribute considerably to the safety and comfort of the parishioners to have a local acceptable home, which can be reached by just walking across the street; and

WHEREAS, the applicant contends that because of the small size and irregular shape of the plot, and the area district limitations, it would be financially unsound to erect an apartment house, or even small residences; that the present 2½ story frame, obsolete funeral parlor is not a satisfactory improvement for the land; that the building is assessed for \$7,000 and the land for \$28,000 and there is an obvious disproportionate value of land to building; that for 17 years, since 1941, the owner has been unable to develop this small interior lot for a conforming use which would be economically sound; that the proposed extension, which involves a \$60,000 investment under a long term financing plan by the lessee, has been the only practical offer presented; that in designing the building, extreme care has been taken to insure that the residential character of the neighborhood would be retained; that it will be set back from the building line to allow for proper landscaping; that the exterior of the building will be of an attractive colonial motif and will be finished with face brick and stone trim; that on the first floor, the existing two reposeing rooms in the old building will be rearranged, modernized and converted into two

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larger rooms; that in the cellar, modern toilets, a smoking lounge, heater, preparation and storage rooms and three car storage will be provided; that all facilities will be located in the cellar; that the new recessed and enclosed cellar service entrance will be located in the 201st Street side yard; that the new extension will be less than 1,980 square feet and the total area of the building will occupy less than 50% of the area of the plot; and

WHEREAS, the applicant requests that provision be made for the temporary parking of more than five cars exclusively for patrons; that this will be only for occasional parking, no fees will be charged and there will be no overnight parking; that the parking area will be covered with crushed blue stone and enclosed with a chain link fence; and

WHEREAS, the applicant further contends that the granting of this application would enable the owner to make a reasonable and just use of the premises without affecting any one adversely; that the premises is on a corner facing a 60 foot wide street on the south and a 170 foot wide street on the west; that general welfare would be secured inasmuch as private capital would be used to finance all improvements, and the City would stand to benefit by an additional \$2,700 per annum in taxes; that the proposed extension will result in a decided improvement in the appearance of the existing building and premises; and

WHEREAS, the applicant states that the present owner has held title to the property since September 1941 and June 1955; that the assessed valuation of land is \$28,000 and of the building \$7,000 making a total of \$35,000; that the building was erected in 1900; and

WHEREAS, the premises and surrounding area were inspected by all members of the Board, who recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions c and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7c for a term of ten years as to extension of use, under Section 7h to permit the parking of cars used in connection with the business and for patrons with curb cuts as shown and to permit the extension of the building, as proposed and indicated on plans filed with this application, marked "Received March 19, 1958", 11 sheets, and "April 2, 1958", 1 sheet, on condition that the building shall comply in all other respects with all laws, rules and regulations applicable thereto other than as modified by resolution adopted this day under Calendar Number 142-58A; that suitable fences shall be maintained on 201st Street and on the Grand Concourse, except for openings for entrance and exit; that the rear unbuilt upon space shall be paved; that in the event the owner of adjoining premises on Lot 65 desires the erection of a fence from the residential building to the street building line, the owner of the subject premises shall construct such fence of split saplings to a total height not to exceed eight feet with the face of such fence to be toward Lot 65, that such planting shall be maintained adjoining the building as proposed and indicated on such plans above cited; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

142-58-A

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner; John J. Fox and Sons, lessees.

SUBJECT—Application March 19, 1958—Appeal from a decision of the Borough Superintendent, re commercial use in frame building.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick Ketcher.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, March 18, 1958 on Alt. Applic. 171/58 reads:

"2. Extension of a commercial use in a frame building is contrary to Sec. 4.1.3 of the B.C." and

WHEREAS, the applicant states that the building is 2½ stories, 28 feet in height, 24 feet 8 inches front by 60 feet 6 inches in depth, of class 4 construction, erected 1900, located on a lot 69 feet 5 inches irregular front by 100 feet 1 inch irregular in depth, in a residence use, C area, class 1½ height district, and used and occupied since 1914; Cellar—heater and storage room, 1 person and garage; 1st floor—funeral parlor, undertaking establishment and office, 20 persons; 2nd floor and attic combined—caretaker's apartment, 3 persons; that the building is proposed to be altered and extended to 1 and 2½ stories, 15 feet and 28 feet in height, 46 feet 8 inches front by 76 feet 5 inches in depth, of class 3 and class 4 construction, and used and occupied as follows: Cellar—heater, storage and preparation rooms, toilets, lounge, garage for 3 cars; 1st floor—funeral parlor, undertaking establishment and offices; 60 persons; 2nd floor and attic combined—caretaker's apartment, 3 persons; and the open area of the lot to be used for parking of more than 5 motor vehicles; that the building is provided with one 2 foot 6 inch wide wood and steel stairs, enclosed in 1 hour partitions, equipped with fireproof self-closing doors and leading direct to street, one exterior stairs is proposed on the rear from the attic to extension roof and thence by goose neck ladder to open yard from which access can be had direct to the street; and

WHEREAS, the applicant states that since 1914 the existing 2½ story frame building has been used as a funeral parlor and undertaker's establishment on the 1st floor, with a caretaker's apartment on the 2nd floor and attic; and

WHEREAS, the applicant states that it is now proposed to erect a 1 story brick extension to increase the size of the funeral parlor and provide necessary facilities of toilets, lounge, etc.; that it is proposed to enclose the stair from cellar to attic and fire retarded partitions equipped with one hour fireproof self-closing doors; that in the cellar the exterior walls will be masonry; that the exterior doors will be fireproof and the stairs will be steel and the ceiling fire retarded; that there will be 2 exits from the cellar; that on the 1st floor all exterior walls will be brick, except for the 46 feet of the existing east wall which will be of frame construction, fire retarded on the inside and surface on the exterior with rubberoid shingles; that all interior partitions and the ceiling will be fire retarded; that there will be 2 exits from the 1st floor; that the live loading from the 1st floor will be increased to 100 pounds per square foot; that on the 2nd floor which is the caretaker's apartment there will be 3 exits, 2 of which will open on the roof, with access therefrom by a stationary iron ladder; that the 3rd exit will be to the interior stairway; that the attic will have 2 exits, 1 to a fire escape with a stationary iron ladder leading directly to the yard; that the 2nd attic exit will be through the interior stairway; and

WHEREAS, the applicant contends that the building is on a corner lot and has a 23 foot rear yard; that the rear wall of the 2nd floor and attic will be 53 feet from the north lot line; that the building will be 23 feet and 28 feet respectively from the nearest building to the east; that all possible safeguards for the welfare and safety of the occupants will be provided; that the Board is therefore requested to permit the continuance of the existing commercial use of the undertaking establishment and funeral parlor; that the use of the caretaker's apartment as indicated on plans filed with this appeal; and

WHEREAS, the premises was inspected by all members of the Board.

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Resolved, that the decision of the Borough Superintendent, dated March 18, 1958, acting on Alt. Applic. 171/58, Objection #2, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the extension of the existing frame building with brick front walls, as proposed and as indicated on plans filed with companion application Cal. No. 141-58-BZ, which is subject to a resolution adopted this day by the Board and that all requirements of such resolution shall be complied with.

196-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, office and sales room, minor auto repairs and parking of more than five cars.

PREMISES AFFECTED—2590-2604 Bailey Avenue and 2587-2601 Heath Avenue, northeast corner, Block 3239, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Heath Avenue and West 193rd Street are in a residence use, B area, class 1½ and class 1¼ height district; Bailey Avenue is in a residence use, B area, class 1½ height district; that as of July 25, 1916 that part of the premises within 100 feet of Bailey Avenue was in a business use district and the present use designation became effective April 29, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1958 acting on N.B. Applic. No. 108-58, reads:

"1. In a residence use district the proposed "Gasoline and Oil Selling Station, lubricatorium, car washing, office, salesroom, minor auto repairs and Parking for more than 5 cars" is contrary to Art. II Sect. 3 of the Zon. Res. and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 95.71 feet frontage by 127.82 feet in depth, irregular, and vacant; that it is proposed to obtain a variance, for a temporary period of fifteen years in order to erect a modern gasoline service station consisting of twelve buried gasoline tanks and three dispensing pumps; that the contemplated accessory building will be one story in height of class III construction, having a frontage of 46 feet 8 inches, and a depth of 27 feet 8 inches and will contain the conjunctive uses of lubricatorium, car washing, office, sales room and minor auto repairs; that the portion of the open area not used by the gasoline service station will be used for parking for more than five cars; and

WHEREAS, the applicant states that Bailey Avenue parallels Major Deegan Boulevard at this point, and inasmuch as this boulevard is one of the busiest thoroughfares in The Bronx, the proposal is within keeping at this point; that within the same block, on lot No. 14, which is 250 feet north of the site, there is now a non-conforming use of gasoline service station; that this non-conforming use and the fact that the unrestricted use district paralleling Major Deegan Boulevard is only 200 feet from the site, together

with the noisy railroad train, precludes the use of this site for a conforming use; that the City of New York acquired the property June 29, 1951 after an In Rem procedure and was later sold for taxes; that the present owner acquired title on June 25, 1957; that if the original owners could have put this property to a conforming use it would not have been lost, so that it is necessary for the new owner to erect the proposal in order for him to receive an equitable return on his investment and thereby retain ownership of the site and continue to pay the high real estate taxes; and

WHEREAS, the applicant states that the present owner has held title to the property since June 25, 1957 and that the assessed valuation of land is \$16,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and lawful uses accessory thereto, substantially as proposed and as indicated on plans filed with this application marked "Received April 7, 1958", 4 sheets, *on condition* that the accessory building shall comply with the requirements of the Building Code and shall have no cellar and shall be located where shown on such plans and of the design shown and shall be constructed in accordance therewith and shall be faced on all sides with face brick; that pumps shall be of a low approved type erected not nearer than 15 feet to the street building line of Bailey Avenue where shown; that the number of gasoline tanks shall not exceed twelve 550 gallon approved tanks; that on the easterly side where the grade of Heath Avenue exceeds the grade of the gas station which shall be graded substantially to the grade of Bailey Avenue, there shall be a retaining wall as shown with a bank sloping up to the building line of Heath Avenue as indicated upon which shall be a continuous steel picket fence for the full depth of the plot; that the retaining wall hereinbefore required shall be of sufficient height above the grade of the station so as to retain such bank from washing; that such bank shall be planted with lawn grass and shrubbery; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs, temporary signs and advertising devices but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over four feet and located where shown; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, for a similar term, there may be minor auto repairs for adjustments only with the use of hand tools solely within the accessory building; that under Section 7e, for a similar term, there may be parking of motor vehicles on such portions of the premises as will not interfere with the servicing of the station; that such motor vehicles shall be of the pleasure car type only; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that curb cuts shall be restricted to two curb cuts to Bailey Avenue where shown not exceeding 30 feet in width each with no portion of any curb cut nearer than five feet to a building line as prolonged and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 5:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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REGULAR MEETING

TUESDAY AFTERNOON, JULY 22, 1958, 2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

557-47-A—Vol. III

APPLICANT—Leonard F. Rothkrug, for C & A Brennkneyer, Inc., owner.

SUBJECT—Application reopened July 1, 1958 as Vol. III—Appeal from a decision of the Borough Superintendent re; combination of buildings.

PREMISES AFFECTED—522-524-526-528 Fulton Street, south side 60 feet east of Hanover Place, Block 161, Lots 27 and 34, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 11, 1958, on Alt. Applic. 772/41 and B.N. Applic. 3370/57, reads:

"1. Resubmit to the B.S.&A. for their consideration question of combining buildings #522 & 524 Fulton Street thereby varying from the plans app'd by the Board under Cal. #557-47-A, Vol. II (See B.N. #3370-57)."

and

WHEREAS, the applicant states that the premises consist of a lot 64.5 feet front by 138.1 feet irregular in depth, located in a restricted retail use, B area, class 2 height district, used and occupied as follows: 522 to 524 Fulton Street—Cellar—retail sales and storage, 14 persons; mezzanine—store, 20 persons; 1st floor—retail sales and store, 85 persons; 2nd floor—retail sales and storage 24 persons; 3rd floor—office and storage, 8 persons; 4th floor—storage, lounge and photo studio, 14 persons; 526 to 528 Fulton Street—Cellar—retail sales, 130 persons and service 40 persons; 1st floor—retail sales and display, 190 persons; 2nd floor—office, 12 persons and sales 280 persons; 3rd floor—office, 6 persons and sales, 280 persons, and work room, 21 persons; 4th floor—office, 27 persons and rest room, 28 persons; that no change in use or occupancy is now proposed for 526 to 528 Fulton Street; that the following changes are proposed for 522 and 524 Fulton Street; Cellar—sales in conjunction with 526 to 528 Fulton Street, 75 persons; mezzanine—none; 1st floor—conjunctive retail sales with 526 to 528 Fulton Street, 83 persons; 2nd floor—conjunctive retail sales with 526 to 528 Fulton Street, 40 persons; 3rd and 4th floors—conjunctive offices and storage with 526 to 528 Fulton Street, 10 persons each floor; and

WHEREAS, the applicant states that the building is provided with an approved two-source sprinkler system and an approved standpipe system; that there is an approved interior fire alarm system and regular monthly fire drills are maintained; that there are seven (7) interior fireproof stairs one of which leads to roof bulkhead, others lead direct to street; that in addition there is one fire escape on the front extending to roof by ladder and to street by ladder, window and door openings on the course of the fire escape are not fireproof self-closing; and

WHEREAS, the applicant states that 526 to 528 Fulton Street was erected 1882 and is used and occupied in accordance with the Resolution adopted by the Board under Calendar Number 557-47-A, on the date of June 24, 1947; that in accordance with which Certificate of occupancy number 121919 was issued November 18, 1948; that 524 Fulton Street is a 4 story building erected the same time and altered in accordance with the Resolution adopted by the Board Feb-

ruary 18, 1958 under Calendar Number 557-47-A, Volume II, for use in conjunction with 526 and 528 Fulton Street; and

WHEREAS, the applicant states that 522 Fulton Street, the building now in question was not previously considered by the Board; that this building was erected 1882 of class 3 construction, 20 feet front by 55 feet in depth, 4 stories, 55 feet 9 inches in height, now vacant, and previously used and occupied for storage and retail sales with photographic studio on the 4th floor; and

WHEREAS, the applicant states that it is now proposed to combine number 522 with number 524 Fulton Street and use both of these buildings in conjunction with 526 to 528 Fulton Street; and

WHEREAS, the applicant contends that the combined area of the 2 buildings is less than 2500 square feet; that the only objection raised by the Borough Superintendent is that the addition of the new building is contrary to the Resolution of the Board; that the Department would have approved the 2 buildings being combined; in view of the small area if there were not to be used in conjunction with the building considered by the Board; that the addition of 522 will not actually increase the number of occupants, but will provide a larger uncluttered area on each floor; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 18, 1958, under Vol. II by adding thereto:

"that in the event the owner desires to include additional buildings as now proposed and indicated on plans filed with this application marked, "Received June 12, 1958," 15 sheets, such extension to include the buildings on Lots 27 and 34, Block 161 may be permitted on condition that the resolution as above cited with the inclusion of these additional lots shall be complied with in all respects; that the two source sprinkler system shall be extended to include all floors of these additional buildings; that the building shall not be increased in height or area; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

685-48-A—Vol. III

APPLICANT—Francis Seaman for Surface Transit, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—Appeal from a decision of the Borough Superintendent re: relocation of fuel oil pump, dispensing panels and installation of four additional diesel oil dispensing pumps in basement.

PREMISES AFFECTED—4065-4079 10th Avenue, southeast corner, 218th Street West, Block 2213, Lot 6, Borough of Manhattan.

APPEARANCES—

For Applicant: Francis Seaman.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated May 1, 1958, on Miscellaneous F.P. Application 1702-48, reads:

"1—The relocation of fuel oil pumps, dispensing panels and the installation of four additional diesel oil dispensing pumps on basement floor is contrary to Resolution of the Board of Standards and Appeals, Calendar No. 685-48-A, dated July 16, 1957."

and

WHEREAS, the applicant states that the building is one story and basement, 49 feet in height, 195 feet 3 inches by

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500 feet in area, of class 3 construction, erected 1898, located in an unrestricted use, B area, class 1¼ height district, and used and occupied since 1949 as a garage for more than 5 diesel powered buses; and

WHEREAS, the applicant requests that the Board amend its Resolution adopted September 14, 1948 and July 16, 1957, so as to permit the relocation of three diesel oil dispensing panels from the northeast part of the basement to the southeast part of the basement; that the addition of four diesel oil pumps in the basement to service these relocated dispensing panels; that the relocation of fuel oil pump from the pump room to the southeast part of the basement with piping running underground to the boiler room; that this fuel oil system is to be an emergency supply system, supplementing an existing 20,000 gallon fuel oil tank located in the boiler room; and

WHEREAS, the applicant contends that studies made by the owner indicate more economical and safer conditions with fueling at the locations now proposed; that physically existing underground lines and other piping systems practically precludes the extension of the underground piping to the northeast part of the garage as originally proposed; that where it is practicable, a minimum distance from tanks to pumps and dispensing panels is most desirable; that the location of the four diesel oil pumps on concrete bases at a point close to the storage tanks is advantageous, economical and safer; that the fuel oil pumps proposed is for emergency use only and now is proposed in its best location; that the original design did not allow for the number of pumps required for adequate fueling of the upper and lower level garages; that recently the entire building has been fully protected with a sprinkler system having two sources of supply; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 14, 1948, under Vol. I, as *amended* by resolution adopted on July 16, 1957, by adding thereto:

"and to permit the relocation of fuel oil pumps, dispensing panels and installation of four additional diesel oil dispensing pumps on the basement floor, as proposed and shown on plans filed with this request for amendment, marked 'Received May 6, 1958,' 3 sheets, *on condition* that in all other respects the resolutions above cited shall be complied with."

221-55-A—Vol. III

APPLICANT—Charles L. Koester for Joseph Casa, owner.
SUBJECT—Application reopened June 17, 1958 as Vol. III

—Appeal from a decision of the Borough Superintendent re: change of a one family dwelling to a two family dwelling.

PREMISES AFFECTED—84-20 267th Street, southwest corner of East Williston Avenue, Block 8811, Lot 25, Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 23, 1958, on Alt. Applic. 2392-57, reads:

"(1) Proposed conversion of a one family dwelling to a two family contrary to Board of Standards and Appeals ruling No. 221-55-A, Vol. II."

and

WHEREAS, the applicant states that the existing building is 1½ stories, 22 feet in height, 52 feet by 27 and 21 feet in area at street level, 38 feet front by 27 and 10 feet in area

at typical floor level, of class 4 construction, located in a local retail use, D area, class 1 height district, and used and occupied as a 1-family dwelling and now proposed to be used and occupied as a 2-family dwelling, 1-family on the 1st floor and 1-family on the 2nd; and

WHEREAS, the applicant states that it is now proposed to include kitchen fixtures in the northwest bedroom to create a kitchen and dinette, making it a 2-family dwelling; and

WHEREAS, under Calendar Number 221-55-A, Volume I, the Board on May 10, 1955 modified a decision of the Borough Superintendent, on N.B. Applic. 863-55 to permit this building to be erected of frame construction using 2 inch nominal thickness beams within the fire limits; that in addition to permitting the construction of 2 other similar buildings on Lots 22 and 31 adjoining; and

WHEREAS, under Calendar Number 221-55-A, Volume II, the Board on November 20, 1956, modified a decision of the Borough Superintendent on N.B. Applic. 862 and 863 of 1955, so as to permit the finishing of 3 rooms and bath in the attic of this building and the adjoining building on Lot 22 and to occupy both buildings as single family dwellings; and

WHEREAS, this appeal was reopened by a vote of the Board, June 17, 1958, under Calendar Number 221-55-A, Volume III, to consider the applicant's present proposal to occupy the building on Lot 25 (formerly Lot 28) as originally constructed under N.B. Applic. 863-55 to be used as a 2 family dwelling, as indicated on plans filed with this application for amendment, marked received May 26, 1958; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 10, 1955, as *amended* by resolution adopted on November 20, 1956, under Vol. II, relating solely to Building No. 84-20 267 Street, Block 8811, Lot 25, formerly Lot 28 and does hereby *modify* the decision of the Borough Superintendent acting on Alt. Applic. 2392-57, Objection 1, to permit the occupancy of this residence building from one to two families as proposed and shown on plans filed with this appeal, marked 'Received May 26, 1958,' 6 sheets, as corrected by the applicant on July 22, 1958, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

357-56-A—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bikur Cholim Visiting Sick Society, owner.

SUBJECT—Application for consideration—reopening of amendment of resolution, increase in occupants—re Appeal from a decision of the Borough Superintendent, construction; previously granted on condition.

PREMISES AFFECTED—8646 21st Avenue, west side, 200 feet north of Benson Avenue, Block 6377, Lot 66, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this appeal was granted by the Board on October 22, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 22, 1957 by adding thereto:

"that the number of persons in the building on the first floor may be increased to 160 persons provided the four exits to the building leading directly to the street

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are maintained and the resolution above cited adopted October 22, 1957, is complied with; that the use as therein cited shall not be changed; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto." (Alt. 4089/55)

761-57-A

APPLICANT—Sidney Daub, for Broadway Pastry Shop, Inc., owner.

SUBJECT—Application October 24, 1957—Appeal from a decision of the Borough Superintendent, re egress, factory building.

PREMISES AFFECTED—252-254 West 28th Street, south side, 155 feet, 6 inches east of 8th Avenue, 2nd floor; Block 777, Lot 72, Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated October 17, 1957 on Alt. Applic. 1277/56, reads:

"Objection # 6 is repeated (proposed change in use to factory, will require two means of egress Section 270 of the Labor Law)."

and

WHEREAS, the applicant states that the building is 2 stories, 31 feet in height, 49 feet 9 inches by 98 feet 9 inches in area at 1st floor, 49 feet 9 inches by 88 feet 9 inches in area at typical floor, of class 3 construction, erected 1919, located on a lot 49 feet 9 inches front by 98 feet 9 inches in depth, in a manufacturing use, B area, class 1½ height district, and used and occupied since 1957; Cellar—flour storage, 5 persons; 1st floor—bakery, 15 persons; 2nd floor—office and bakery, 10 persons; that no change in use or occupancy is now proposed; that the building is provided with one 3 foot 8 inch wide interior steel stairs, enclosed in partitons of wood studs, metal lath and plaster, equipped with fireproof self-closing doors; that stairs lead direct to street and provided with a ladder and scuttle to roof; that in addition there is one fire escape proposed at the front, extending to street by stair, window and doors on the course of the fire escape will be fireproof self-closing; and

WHEREAS, Certificate of Occupancy #2297 was issued November 10, 1920 against N.B. Applic. #159-19 and permits the following use and occupancy; cellar—storage, 5 persons; 1st floor—office and shipping room, 20 persons; 2nd floor—offices, 50 persons; and

WHEREAS, Violation Number 2942 was issued May 18, 1957 for occupying premises before completing work and obtaining a new certificate of occupancy as required under Alt. Applic. 1277-56; and

WHEREAS, the applicant contends that the building is provided with 3 foot 8 inch wide fireproof stairway at the westerly wall near the front, which extends from the 1st to 2nd story with fire retarded enclosure at 1st and 2nd story and fire retarded enclosed hallway at the 1st story leading to the street, equipped with fireproof self-closing doors at the openings thereto, that there is a stationary wrought iron ladder and a 2 foot by 3 foot metal covered scuttle to roof; that it is proposed to provide a second means of egress through the 2nd story by erecting a Labor Law fire escape at the front at sill level, with steps leading to sill and fireproof 2 foot by 6 foot door with wire glass panel, leading to the balcony and counterbalance stairway from balcony to grade; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 1277/56, Objection No. 6 and that the appeal be and it hereby is granted on condition that the stairway in the cellar shall be enclosed, as indicated on plans filed with this appeal, showing the cellar, marked "Received October 24, 1957", 1 sheet, and that the first floor shall be maintained as proposed and shown on such plans marked "Received October 24, 1957", 3 sheets, and "May 29, 1958", 1 sheet, on condition that the secondary means of exit from the second floor shall be a balcony constructed around the building line with a counterbalanced ladder to the street as shown on plans above cited; that the gate existing on the first floor exit hall shall be fitted with an approved lock so as to be openable in the direction of exit for exit purposes; and that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto.

123-58-A—Vol. II

APPLICANT—Abraham Grossman for Benjamin Gordon, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: lawful means of egress and provision of lawful stair enclosure.

PREMISES AFFECTED—821-823 Broadway and 51 East 12th Street, northwest corner, Block 564, Lot 22, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3

Negative: Commissioner Kleinert and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 28, 1958 on Alt. Applic. 939/57, reads:

"3. Provide 2 lawful means of egress from each floor area used for factory purposes as per Sect. 271 of L.L.

4. New wire mesh and 1 inch cement mortar on existing iron grille does not constitute lawful stair enclosure construction; 3 hour rating required for elevators and stairs.

NOTE: Also see Cal. #58-18-S of B.S. and A."

and

WHEREAS, the applicant states that the building is 11 stories, 147 feet in height, 49 feet 2 inches front by 87 feet irregular in depth, of fireproof construction, erected 1906, located in a business use, B area, class 2 height district, and used and occupied since 1906 as follows: Cellar—boiler room, store and storage, 4 persons; 1st floor—store, 9 persons; 2nd floor—manufacturing books, 12 persons; 3rd floor—manufacturing ornaments, 20 persons; 4th floor—manufacturing waistbands, 10 persons; 5th floor—manufacturing tools and dies, 6 persons; 6th floor—manufacturing books, 5 persons; 7th floor—manufacturing garden supplies, 11 persons; 8th floor—manufacturing waistbands, 10 persons; 9th floor—manufacturing labels, 6 persons; 10th floor—manufacturing coats, 6 persons; 11th floor—manufacturing coats, 30 persons; and

WHEREAS, Violation Number 1230/57 was issued February 27, 1957 in that all stories are not provided with 2nd legal means of egress to street; that fire escapes are not considered as legal exits for buildings over 6 stories, under Section 271 of the Labor Law; That stairway is not enclosed by fireproof partitions, there being open wire mesh on 2 sides at passenger elevator and freight elevator; that fire escape in the rear is not properly maintained, in that there is a loose tread between 10th and 11th floor balconies, numerous tread connections are badly rusted and entire fire escape requires scraping and painting; that on the 4th floor

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exit signs are not provided with lights; that outside light not provided at lower termination of fire escape; that on various floors exit doors opening on fire escape, do not open readily, as they drag on door sills; and

WHEREAS, under Calendar Number 123-58-A, Volume I, the Board on May 6, 1958 permitted withdrawal of an appeal covering the same subject to permit the applicant to restudy conditions and file revised plans; and

WHEREAS, this appeal was reopened by a vote of the Board as Calendar Number 123-58-A, Volume II, on June 24, 1958 to consider revised plans; and

WHEREAS, the applicant states that the exits consist of an enclosed stairway, 4 foot 6 inch wide, leading directly to street with bulkhead to roof; that the freight elevator is within the stair enclosure, completely enclosed in 3-hour construction; that however, the freight elevator within the enclosure is not completely enclosed on 2 sides of which has wire lath and cement mortar attached to the exterior surface of the grille work of the elevator and the other side has metal covered sliding doors; that the secondary egress is 45 degree exterior stairway, 24 inches wide, fully protected with self-closing fireproof doors or windows, extending to roof by ladder and terminating at a fireproof hall on the 1st floor, with egress directly to the street; and

WHEREAS, the applicant states that it is proposed to remove the present exterior stairway iron ladder leading to the roof and to substitute a new 24 inch wide stairs from the 11th floor to roof in accordance with the Labor Law, except as to the width of the stairs; and

WHEREAS, the applicant contends that the Board failed to grant the appeal filed under Calendar Number 123-58-A, Volume I, inasmuch as the Resolution adopted by the Board under Calendar 58-18-S had never been complied with; that neither the present owner nor the applicant had any knowledge of this 1918 variance until it was disclosed by the Board's records; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on a Alt. Applic. 929/57, Objection No. 3 and that the appeal be and it hereby is *granted, on condition* that such means of egress shall be provided as indicated on plans marked, "Received June 4, 1958," 7 sheets; that the existing fire escape and court shall be put in good structural condition and painted and furnished with exit lights thereby complying with the requirements and kept in good condition; that the occupancy of the main floor shall not exceed the occupancy as permitted by the means of exit; that as to Objection No. 4 that the protection around the elevators shall be as proposed with new wire mesh, one inch of cement mortar on existing iron grill enclosure; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all work above required shall be completed within six-months from the date of this resolution.

304-58-A

APPLICANT—Paul Trapani, for Florence Trapani, owner.
SUBJECT—Application May 16, 1958—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Sections 171(1) and 172(2) and Section 172(3), re Bulk and volume, yard area, etc.

PREMISES AFFECTED—636-644 Burke Avenue, southwest corner of Barker Avenue, 1st floor, Block 4543, Lot 26, Borough of The Bronx.

APPEARANCES—

For Applicant: Paul Trapani.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated May 15, 1958 on Alt. Applic. 265/58, reads:

"A1—Proposed alteration of above building from a two family and stores dwelling to a three family and stores multiple dwelling is contrary to Sec. 171 subd. 1 and Sec. 172 subd. 2 of the M.D.L.

Note:—Bulk and volume increased; Alt. 195/50 filed and one story store erected (19 feet 6 inches by 31 feet 6 inches) over side yard; Reducing yard to (2 feet).

A2—Proposed new apartment at first story is contrary to Sec. 172 subd. 3 of M.D.L."

and

WHEREAS, the applicant states that the building is 3 stories, 30 feet in height, 82 feet by 20.21 feet in area at street floor, 33 feet by 20.21 feet in area at typical floor, class 3 construction, erected 1939, located in a business use, C area, class 1½ height district, and used and occupied as follows: 1st floor—3 stores, storage, office and boiler room, 7 persons; 2nd floor—dwelling, 1 family; 3rd floor—dwelling, 1 family, and now proposed to be altered and used and occupied as follows: 1st floor—1 apartment, 1 store, office, storage and boiler room, 5 persons; 2nd floor—dwelling, 1 family; 3rd floor—dwelling, 1 family; that the building is provided with one 3 foot wide interior wood stairs enclosed in one hour fire retarded partitions, equipped with wood doors which are self-closing; that stairhall leads direct to street and is provided with a ladder and scuttle to roof; that it is proposed to be equipped with a new fire escape on the Barker Avenue front, servicing the 3rd floor apartment; and

WHEREAS, the applicant states that the building is an existing 2 family dwelling with 3 stores and 1 office on the ground floor; that it is proposed to change the 2 stores under the main portion of the building to a 2½ room apartment; and

WHEREAS, the applicant contends that the stores have been difficult to rent due to the fact that the premises located in a residential area; that the new apartment will greatly help to carry the existing building; that the absence of the required 10 foot rear yard will in no way affect the ventilation of the new or existing apartment, since the windows of all existing and proposed rooms will ventilate on street fronts and not on courts; that two means of egress will be provided for each apartment; that a fire escape will be installed for egress from the top apartment and two exits will be provided from the new apartment; that the alteration of the building as proposed will in no way hamper the public health, safety and general welfare or create any hazards whatsoever, but would rather improve the entire neighborhood; that it is requested that the Board grant this variance to allow the alteration of this building; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 265/58, Objection Nos. 1 and 2, be and it hereby is *modified* under the powers vested in the Board by Section 310 of the Multiple Dwelling Law, and that the appeal be and it hereby is *granted*, to permit the occupancy of the building for three families, as proposed an indicated on plans filed with this appeal, marked "Received May 16, 1958", 5 sheets, *on condition* that the building shall meet all requirements of the Building Code and all other requirements of the Multiple Dwelling Law and all other laws, rules and regulations applicable thereto; and that the building shall not be increased in height or area.

355-58-A

APPLICANT—Albert B. Bauer, for Department of Public Works, City of New York, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re exits, wood shelves, etc.

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PREMISES AFFECTED—112-114 East 96th Street, south side, 165 feet west of Lexington Avenue, Block 1524, Lot 64, (96th Street Branch Library), Borough of Manhattan.

APPEARANCES—

For Applicant: Walter Hesse.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 9, 1958, on Alt. Applic. 1141/57, reads:

"4. Exits of building are inadequate under 6.1.5.B.C. Stairs should lead to street in continuous 2 hour enclosure as per 6.4.1.11k. B.C.

"5. Extensive use of wood shelves, etc., as shown on plan must comply with C26-667.0 Admin. Code. F.P. wood except as specifically excepted by C26-667.0."

and

WHEREAS, the applicant states that the building is 3 stories, 59.6 feet in height, 50 feet front by 75 feet in depth, of class 2 construction, erected 1905, located in a residence use, B area, class 1½ height district, and used and occupied; basement—boiler room and library, 35 persons; 1st floor—library, 50 persons; 2nd floor—library, 70 persons; 3rd floor—reading room and janitor's apartment, 5 persons; that no change in use or occupancy is proposed; and

WHEREAS, the applicant states that this library is one of a number of such buildings erected before 1916 from Carnegie Endowment Fund and in use today; and

WHEREAS, the applicant contends that to Objection #4 issued by the Borough Superintendent, that stairway in question extends from the basement to 3rd floor; that the portion of the stairway from basement to 1st floor will be enclosed in a 3-hour masonry partitions equipped with 1½-hour fireproof self-closing door; that access to the street is provided from the basement and the 1st floor; that another existing stairway extending from 3rd floor to roof will be enclosed with 3-hour enclosure; and

WHEREAS, the applicant contends as to Objection #5 issued by the Borough Superintendent, as it applies to wood library shelving; that the shelving consists of double faced free standing type and the single faced type fastened to the wall; that both types are standard wood library shelving used in the public libraries throughout the City; and

WHEREAS, the applicant states that the repair work consists of a removal of a skylight and the construction of a slab over the opening; that the installation of new book shelves and other library equipment; that the library use will not change nor will the human occupancy be increased; and

WHEREAS, the premises was inspected by a committee of the Board, which recommended that the appeal be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated May 9, 1958, acting on Alt. Applic. 1141/57, Objections #4 and 5 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the exits and shelving shall be in accordance with the plans filed with this appeal, marked "Received June 4, 1958", 3 sheets; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that the building shall not be increased in height or area.

366-58-A

APPLICANT—Ross & Atkin, for Alexanders' Department Store, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re removal of fire wall.

PREMISES AFFECTED—2948-2954 and 2962-64 Third Avenue, east side, 50.32 feet south of East 153rd Street and 635-655 Bergen Avenue, Block 2362, Lots 44, 69 and 70, Borough of Bronx.

APPEARANCES—

For Applicant: Harry Atkin.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 3, 1958 on Alt. Applic. 433/58, reads:

"1. Proposed removal of fire wall on first floor would constitute an increase in area of over 24,000 sq. ft. and is contrary to Sect. C26-254.0."

and

WHEREAS, the applicant states that the building is 3 stories, 46 feet in height, 150 feet front by 185.31 feet in depth, of class 3 construction, erected 1897, located in an unrestricted and business use, B area, class 1½ height district, and used and occupied as follows: Cellar—store and storage, 153 persons; 1st floor—store and light storage, 400 persons; 2nd floor—store and light storage, 300 persons; 3rd floor—store and light storage, 250 persons; 4th floor—office and light storage, 50 persons; that no change in use or occupancy now proposed; that the building is provided with a two-source sprinkler system throughout, an approved interior fire alarm system and regular monthly fire drills are maintained; that there are seven 3 foot 8 inch wide incombustible stairs, fireproof enclosed, equipped with fireproof self-closing doors, and extending from roof bulkhead to street; and

WHEREAS, Certificate of Occupancy #10099 issued January 15, 1952 against Alt. Applic. 915/48 and 697/50 permits the present use and occupancy; and

WHEREAS, the applicant states that it is proposed to erect a 3 story extension to the existing building to be used primarily for storage but to be open on the 1st floor only to the existing store so that the 1st floor extension might be used in conjunction with the store; and

WHEREAS, the applicant contends that no increase in occupancy is proposed; that the purpose of the extension is to eliminate overcrowding of the store; that on the 1st floor only, the men's department will be moved into the 1st floor extension and will be provided with an additional means of egress; that the entire extension will be provided with an approved two-source sprinkler system; that on the 1st floor, both the floor construction below and the floor construction above will be entirely fireproof, consisting of 4 inch reinforced concrete slabs, supported on protected steel beams, columns and girders; that there will be no additional fire hazard due to the proposed opening on the 1st floor; that the extended area will be completely fireproof and will have additional egress; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated June 3, 1958, acting on Alt. Applic. 433/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the removal of the fire wall on the first floor as indicated on revised plans filed with this appeal marked, "Received June 4, 1958," 8 sheets, and revised plot plans marked, "Received July 22, 1958," 2 sheets, *on condition* that the sprinkler system shall be extended to include the additional area; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modied by the Board under Cal. No. 1021-39-A, Volumes I and II.

375-58-A

APPLICANT—Shreve, Lamb & Harmon Associates, for Bankers Trust Company, owner.

SUBJECT—Application June 13, 1958—Appeal from a de-

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cision of the Borough Superintendent, re: width of stairways inadequate for number of persons.

PREMISES AFFECTED—10-16 Wall Street, 1-9 Nassau Street, northwest corner and 7-11 Pine Street, Block 46, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: William B. Kehrt, Howard F. Vanderbeck and Gerald DePace.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 11, 1958 on Alt. Applic. 803/58, reads:

"1—The total number and aggregate width of the existing required stairways, including the existing horizontal exit on the 10th story are insufficient to accommodate at one time the total number of persons (1000) on this floor as indicated on plan, in accordance with Sect. C26-292.0 (2b) and 2d) A.C."

and

WHEREAS, the applicant states that the building is 25, 31 stories and tower, 444 feet 7 inches in height, 160 feet 2½ inches front by 195 feet 11½ inches in depth, of fireproof construction, erected 1911 and 1933, located in a business use, B area, class 2½ height district, and used and occupied since 1933: Basement—mechanical equipment and storage, 100 persons and bank, 400 persons; 1st floor—bank and stores, 300 persons; mezzanine—banking offices, 150 persons; 2nd floor—offices, 150 persons; 3rd to 5th floors—offices, 265 persons each floor; 6th to 9th floors—offices, 250 persons each floor; 10th floor—employee's lunch room, lounge, medical department and offices, 502 persons; 11th to 15th floors—offices, 250 persons each floor; 16th to 24th floors—offices, 215 persons each floor; 25th to 30th floors—offices, 50 persons each floor; 31st floor—private dining room and kitchen, 25 persons; tower—storage and mechanical equipment; that no change in use or occupancy is now proposed except for the 10th floor which will be used as an employee's lunch room, lounge, medical department and offices with an occupancy of 1000 persons; and

WHEREAS, Certificate of Occupancy Number 18955 issued May 17, 1933 against Alt. Applic. 111/31 permits the present use and occupancy except for the 10th floor which is limited to 250 persons in occupancy and in use to offices; and

WHEREAS, the applicant states that the present use and occupancy of 502 persons on the 10th floor was approved by Amendment to Alt. Applic. 1484/49 and P.A. Applic. 29/49 for which use and occupancy no certificate of occupancy has been issued; and

WHEREAS, the applicant states the purpose of this appeal is to obtain an increase in the number of occupants on the 10th floor; and

WHEREAS, the applicant contends that the 10th floor with a gross usable area of 18,050 square feet has four stairways leading to the street, with a capacity of 251 persons; that an existing horizontal exit doubles the floor capacity to 502 as previously approved; that the Board is now requested to permit an occupancy of 1000 persons; and

WHEREAS, the applicant contends that the growth of the Bankers Trust Company necessitates increased lunch and lounge facilities for the daily use of personnel, between the hours of 10:30 A.M. and 3:00 P.M.; that no cooking will be done on the premises servicing this lunch room; that food will be prepared off the premises; that the building has an approved standpipe system and voluntary fire alarm system; that in addition it is proposed to install a sprinkler system over the entire 10th floor, connected to the domestic water supply; that extreme hardship exists in this case; that as the floor will be occupied by a maximum of 1000 persons only for a short period of the work day and at other times by approximately 50 persons; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated June 11, 1958, acting on Alt. Applic. 803/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the 10th floor, where proposed, with an occupancy of 1000 people, shall be sub-divided as now proposed and indicated on plans filed with this appeal marked, "Received June 13, 1958," 2 sheets, showing the existing condition; that the entire floor shall be sprinklered with the sprinkler system not less than one source and may be fed from the standpipe tank provided the capacity thereof is not less than 5 thousand gallons; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

402-58-A

APPLICANT—S. Walter Katz, for Steval Realty Corp., owner.

SUBJECT—Application July 2, 1958—filed pursuant to section 35, General City Law re alteration and extension of building located in bed of a mapped street—proposed widening of 2nd Avenue.

PREMISES AFFECTED—1085 2nd Avenue, west side, 20 feet, 5 inches north of East 57th Street, Block 1331, Lot 22, Borough of Manhattan.

APPEARANCES—

For Applicant: Ludwig Hanauer and Peter Casini.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals on Tuesday, July 22, 1958, after due notice by publication in the Bulletin of the Board, supplemented by publication in The New York Times. and

WHEREAS, the decision of the Borough Superintendent, dated July 2, 1958, on Alt. Applic. 476/58, reads:

"10. Proposed alteration and extension of a building in the bed of a mapped street requires approval of Bd. of Stds. and Appeals as per Sec. 35 of General City Law."

and

WHEREAS, the applicant states that the building is 4 stories, 42 feet in height, 20 feet front by 44 feet in depth, of class 3 construction, erected 1880, located on a lot 20 feet front by 60 feet in depth, in a restricted retail use, B area, class 1½ height district, and used and occupied: Cellar—Boiler room and storage; 1st floor—restaurant (now vacant); 2nd floor—1 apartment (now vacant); 3rd floor—1 apartment (now vacant); 4th floor—1 apartment (now vacant); that it is proposed to be increased in area at street level 20 feet front by 60 feet in depth, in class 3 construction, and used and occupied as follows: Cellar—boiler room, storage for restaurant; 1st floor—restaurant, 33 persons and 8 employees, total 41 persons; 2nd floor—restaurant, 50 persons and 4 employees, total 54 persons; 3rd and 4th floors combined 1 duplex apartment; that the building is provided with one 2 foot 8 inch wide interior wood stairs, enclosed in fire retarded partitions, equipped with self-closing wood doors; that stairhall leads direct to street and is provided with a ladder and scuttle to roof; that in addition there is a fire escape on the front extending to roof by ladder; and

WHEREAS, the applicant states that when the alteration application was filed with the Department of Buildings, it was learned that the west side of Second Avenue between 57th and 59th Streets was to be demolished as indicated on a Street Plan, dated 1907 and revised in 1922; and

WHEREAS, the applicant contends that the present owner inquired in 1948 of the Borough President, if it was in-

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tended to proceed with the proposed street widening and was advised that the project has been shelved until a future date; that now 10 years later the project is still pending and no date set to proceed, it would therefore seem unfair to refuse the owner permission to proceed with the contemplated alteration and to fulfill his obligation to the tenant; that building contracts have already been awarded; and

WHEREAS, the applicant states that the premises have been leased for a restaurant use on the 1st and 2nd floors, and due to the small existing floor area, it is necessary to construct an extension on the 1st and 2nd floors to house the kitchen and rest rooms; that it is therefore requested that the Board grant permission to proceed with the alteration in the bed of the street widening; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions; and

WHEREAS, the Borough President's office has advised that the proposed widening will be abandoned and taken off the map.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 476/58, Objection Number 10 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the extension of the building as proposed within the area mapped for street widening of Second Avenue *on condition* that in the event the widening is carried through the recompense therefore shall be as determined by the court.

277-54-A—Vol. IV

APPLICANT—The Procter & Gamble Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Appeal from a decision of the Fire Commissioner, hydrogen system; previously granted on condition.

PREMISES AFFECTED—3666 Richmond Terrace, southwest corner of Western Avenue, Block 1400, Lot 1, Port Ivory, Borough of Richmond.

APPEARANCES—

For Applicant: Robert J. Eichner and Alphonse C. Bogaerl.

ACTION OF BOARD—Application reopened as Volume IV, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

341-58-A—Vol. II

APPLICANT—Tobias Goldstone, for Young Israel of Flatbush, owner.

SUBJECT—Application for consideration—reopening as Vol. II to consider a new proposal and decrease in occupancy, subject to regular procedure—re Appeal from a decision of the Borough Superintendent—re Class III construction, public use, re stairs, etc.; previously denied.

PREMISES AFFECTED—1300-1308 Coney Island Avenue, west side, 320 feet north of Avenue J, Block 6523, Lot 86, Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

ACTION OF BOARD—Application reopened subject to regular procedure as Volume II; hearing set for July 29, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

620-57-A

APPLICANT—Louis Kurtz, for Dated Securities Corp., owner; E. J. Korvette, Inc., lessee.

SUBJECT—Application for consideration—reopening, restoration to docket—re Appeal from an order of the Fire Commissioner—re install interior fire alarm, etc.; previously dismissed.

PREMISES AFFECTED—485 Fulton Street and 147 Lawrence Street, northeast corner, Block 152, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request for restoration to the calendar withdrawn by the applicant for compliance with the Order.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

313-57-A

APPLICANT—Addie Vallins, Inc., owner.

SUBJECT—Application April 17, 1957—Appeal from an order and a decision of the Borough Superintendent, re interior fire alarm system.

PREMISES AFFECTED—40 West 170th Street, northwest corner of Cromwell Avenue, Block 2871, Lot 94, Borough of The Bronx.

APPEARANCES—

For Applicant: W. Bernstein.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; applicant has applied to the Borough Superintendent for a new Certificate of Occupancy.

351-57-A

APPLICANT—Reuben Rappaport, for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Rappaport.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision.

965-57-A

APPLICANT—Hetkin, Jervis and Hetkin, for Golf House, Inc., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction—public use.

PREMISES AFFECTED—40 East 38th Street, south side, 80 feet west of Park Avenue, Block 867, Lot 43, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Philip L. Winter and John A. English.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision, hearing closed.

87-58-A

APPLICANT—Donald J. Colasano, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

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PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue, Block 5379, Lots 4, 6 and 7, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Milton Petrioies.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Atkin.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for applicant to obtain a new decision of the Borough Superintendent and submit same with a revised plan for consideration and decision by the Board; hearing closed.

340-58-A

APPLICANT—Merrill and Holmgren, architects for Brighton Heights Reformed Church.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re frame structure—stair enclosure.

PREMISES AFFECTED—322 St. Marks Place, southwest corner of Fort Place, Block 16, Lot 68, St. George, Borough of Richmond.

APPEARANCES—

For Applicant: Herbert Holmgren, Stanley Verhey and Frederick R. Roberts.

ACTION OF BOARD—Laid over to July 29, 1958, at 10 A. M. for inspection and decision; hearing closed.

1333-22-BZ

APPLICANT—Murray C. Lester, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, for a term of years, permitting in a business use district, extending into a residence use district, the change of occupancy from business building to a motor vehicle repair shop.

PREMISES AFFECTED—662 East Fordham Road, south side, 50.96 feet west of Cambreling Avenue, Block 3091, Lot 22, Borough of The Bronx.

APPEARANCES—

For Applicant: Murray C. Lester.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley.. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 26, 1923, on certain conditions; and

WHEREAS, the resolution was amended on November 23, 1943; and

WHEREAS, the term of variance was extended from time to time and last extended on September 22, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on November 23, 1943 as thereafter amended by resolutions adopted through Sep-

tember 22, 1953 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

“... granted under Section 7, Subdivision i for a term of five years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (Alt. App. 854/42 and N.B. App. 247/22.)

683-29-BZ—Vol. II

APPLICANT—Vincent Piampiano, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 9, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a retail use district, the reconstruction and extension in area of existing gasoline service station, lubritorium and auto laundry, also the additional uses of minor auto repairing (hand tools only) used car lot and parking of motor vehicles awaiting service, all for a term of 15 years.

PREMISES AFFECTED—50-56 Sand Lane southwest corner of Hylan Boulevard, Block 3266, Lot 29, Arrachar, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley.. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on July 24, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 9, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 24, 1956 as thereafter amended by resolution adopted July 9, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (N.B. App. 233/54.)

103-35-BZ

APPLICANT—William H. Altman, for Harry Brodsky, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a business use district, for a term of 10 years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5001-5011 Flatlands Avenue and 1869-1875 Utica Avenue, northeast corner, Block 7798, Lot 33, Borough of Brooklyn.

APPEARANCES—

For Applicant: Wm. H. Altman.

ACTION OF BOARD—Application reopened and term of variance extended.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 25, 1935, on certain conditions; and

WHEREAS, the resolution was amended on September 13, 1938; and

WHEREAS, the term of variance was extended from time to time and last extended on September 14, 1948; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 25, 1935 as thereafter amended by resolutions adopted through September 14, 1948 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision f for a term of ten years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution and a new certificate of occupancy obtained." (N.B. App. 6696-35.)

454-44-BZ

APPLICANT—Peggy Cooney, for Socony Vacuum Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution as to additional tanks and pumps—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, sales office, lubritorium and auto laundry.

PREMISES AFFECTED—3143-3161 Atlantic Avenue and 248-262 Norwood Avenue, northwest corner, Block 3960, Lot 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Peggy Cooney and E. H. Snackenbergh.

ACTION OF BOARD—

Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 19, 1944, on certain conditions; and

WHEREAS, the term of variance was extended on December 21, 1954; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 19, 1944 as thereafter amended by resolutions adopted by the Board through December 21, 1954 only so far as it has reference to additional gasoline storage tanks and installing new modern low type pumps, so that as amended this portion of the resolution shall read:

"that in the event the owner desires to install six additional 550 gallon approved gasoline storage tanks and to substitute new modern low type pumps for the parkway type previously permitted, and as now shown on revised plans marked "Received July 1, 1958," 1 sheet; that such changes may be permitted and such pumps may be located in the same position as those

previously approved, on condition that in all other respects the requirements of the resolution above cited shall be complied with; as passed on by the Borough Superintendent under Tank Application 1952/58."

595-44-BZ—Vol. II

APPLICANT—Paul Friedman, for Penthouse Buildings, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 16, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7d and 7e of the Zoning Resolution, permitting in a residence use district, the change in occupancy of an existing building from apartment hotel and accessory restaurant to non-resident doctor's offices, commercial offices, two dwelling units and restaurant (cabaret, no dancing).

PREMISES AFFECTED—30 Central Park south, south side, 320 feet east of Avenue of the Americas, Block 1274, Lot 60, Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur Levine.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on July 12, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on July 16, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 12, 1955 as thereafter amended by resolutions adopted through July 16, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that permits have been obtained and work completed and application made for Certificate of Occupancy, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (Alt. App. 538/43.)

476-46-BZ—Vol. II

APPLICANT—Burke, Green & Groh, for Conduit Realty Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, sales and service, minor auto repairs with hand tools only, lubrication and car wash.

PREMISES AFFECTED—101-10 South Conduit Avenue, southeast corner of 101st Street, Block 11585, Lot 23, Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: John V. Howley.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

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THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on November 20, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on September 17, 1957; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 20, 1956 by adding thereto:

"that in the event the owner desires to relocate the pumps and gasoline tanks as now indicated on plans filed with this application marked, "Received June 25, 1958," 1 sheet as passed on by the Borough Superintendent under N.B. 416/1955, as disapproved July 21, 1958, such re-arrangement of pumps and location of tanks may be permitted as proposed *on condition* that in all other respects the requirements of the resolution above cited shall be complied with."

451-47-BZ

APPLICANT—Charles M. Spindler, for Joseph Manfredonia, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired December 17, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business use district, for a term of years, the change in occupancy from hand laundry and accessory department for dry cleaning to wet wash laundry and dry cleaning.

PREMISES AFFECTED—944-946 (944 displayed) 40th Street, south side, 46 feet 1 inch west of New Utrecht Avenue, Block 5886, Lot 25, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 15, 1947, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on July 22, 1952; and

WHEREAS, the resolution was amended from time to time and last amended on June 2, 1954; and

WHEREAS, the term of variance was extended on September 17, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1947, as thereafter *amended* by resolutions adopted through June 2, 1954 only so far as reference to obtaining a Certificate of Occupancy shall read:

"that in view of the statement by the applicant that work has been completed and that additional time is required to obtain the Certificate of Occupancy and such Certificate of Occupancy shall be obtained within three months from the date of this *amended* resolution." (Alt. Applic. 1350/47)

457-50-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7h and 7i of the Zoning Resolution,

permitting in a business use district, the relocation and reconstruction of an existing gasoline service station and the continuation of the parking and storage of more than five motor vehicles, auto glazing and accessories, store and dwelling.

PREMISES AFFECTED—3031 Coney Island Avenue, northeast corner of Neptune Avenue, Block 7511, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. I on July 26, 1950, on a certain condition; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 26, 1950 by adding thereto:

"that in the event the owner desires to install four additional 550 gallon approved gasoline storage tanks and one additional low approved type gasoline dispensing pump, such changes may be permitted; that the frontage of the plot may be reduced from 236 ft. 7¾ in. to 176.64 ft.; as passed by the Borough Superintendent under Alt. App. 2433-58 and 2216-58; and now shown on revised plans marked 'Received July 7, 1958', one sheet, *on condition* that in all other respects the requirements of the resolution above cited shall be complied with."

69-51-BZ

APPLICANT—Peggy Cooney, for Robert Leider, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution, increase in tanks—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business use district, the extension of an existing gasoline service station and the erection of an extension to existing accessory structure to enclose the present lubrication lifts and pit and to be used also for motor vehicle repairs and car washing.

PREMISES AFFECTED—2510-2526 65th Street and 369-381 Avenue P, northwest corner and 1587-1599 Dahill Road, Block 6607, Lot 82, Borough of Brooklyn.

APPEARANCES—

For Applicant: Peggy Cooney and E. H. Snackenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 12, 1951, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 1, 1952; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on June 12, 1951, as thereafter *amended* by resolution adopted on July 1, 1952, only so far as it has reference to additional gasoline storage tanks, so that as *amended* this portion of the resolution shall read:

"there may be six additional 550 gallon approved gasoline tanks for a total of 12 such tanks located where

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shown on revised plans marked, 'Received July 1, 1958,' 1 sheet, and as passed on by the Borough Superintendent under Gasoline Tank Application 589/58 disapproved June 20, 1958."

420-52-BZ—Vol. II

APPLICANT—Joseph A. Trapani, for Thomas Laundry Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a and 21 of the Zoning Resolution, permitting in a residence use and E-1 area district, the erection of an extension to an existing structure and extend the present use of the wet wash laundry, shipping and storage, pressing and parking of trucks in open area to include loading and unloading, office and a four truck storage garage, with less than the required setback and occupying more than the permitted area.

PREMISES AFFECTED—40-27 to 40-33 (40-31 official) 215th Place and 215-27 to 215-45 41st Avenue, northeast corner and 40-30 to 40-36 216th Street, Block 6303, Lots 20, 22, 24 and 26, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Joseph A. Trapani.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 2, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 2, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by applicant that working drawings have been completed and they have been approved by the Borough Superintendent and contract for construction of it will be soon awarded, that all work shall be completed and all permits obtained within the requirements of Section 22A of the Zoning Resolution from the date of the *amended* resolution." (Alt. Applic. 1147-56.)

875-52-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired June 5, 1956—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7h of the Zoning Resolution, permitting in a business use district, the extension in use and area of existing gasoline service station to include lubritorium, car washing (not automatic), motor vehicle repairs, storage and sale of accessories and office and permitting the parking and storage of more than 5 motor vehicles on unbuilt portion of plot.

PREMISES AFFECTED—77-17 Queens Blvd., north side, 160 feet west of Albion Street, Block 1536, Lot 108, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened, resolution amended and term extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 26, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 7, 1955; and

WHEREAS, the applicant requested an extension of the term of variance and amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on May 26, 1953 by adding thereto:

"that in the event the owner desires to install two additional 550 gallon gasoline storage tanks making a total of 12 such tanks such may be permitted as now shown on revised plans marked "Received July 17, 1958", one sheet, as passed by the Borough Superintendent under Misc. App. 1110-58, disapproved July 22, 1958, and to extend the term of the variance as to the parking use so that as *amended* this portion of the resolution shall read:

"that under Section 7h the term of parking may be for five additional years from the date of this *amended* resolution. (Alt. App. 2360-52.)

623-53-BZ—Vol. II

APPLICANT—Max Horn, for James J. Wolfson, Sidney M. Siegel and David Koss, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting for a term of 20 years, in a residence use district, the erection and maintenance of a business structure (stored) and permitting the parking of patron's and employee's motor vehicles on unbuilt portion of plot.

PREMISES AFFECTED—60-01 to 60-31 Beach Channel Drive and 305-31 Beach 60th Street, southwest corner, 60-02 to 60-30 Arverne Boulevard, Block 385, Lot 45, Arverne, Borough of Queens.

APPEARANCES—

For Applicant: M. Horn.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on May 10, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on September 17, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 10, 1955 as thereafter *amended* by resolution adopted on September 17, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 2866/54.)

669-54-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for

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extension of time to complete which expired January 16, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, brake service and office for a term of years.

PREMISES AFFECTED—1105 60th Street, northeast corner of 11th Avenue Block 5710, Lots 67-71 inclusive, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on March 29, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on July 16, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 29, 1955 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, shall be obtained and all work completed within three months the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 29-54, Misc. App. 206-54.)

166-55-BZ—Vol. II

APPLICANT—Paul Friedman, for Warren J. Heeg & Thomas Adams, owners.

SUBJECT—Application for consideration—reopening for reduction of plot and rearrangement of gasoline station—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f and 7i of the Zoning Resolution, permitting in a retail use district, the erection and maintenance of a gasoline service station, automatic car wash, lubritory, minor repairs with hand tools only, office, storage and sale of automobile accessories, parking and storage of more than 5 motor vehicles with ground signs in a retail use district, for a stated term of 15 years.

PREMISES AFFECTED—105-19 to 105-37 Horace Harding Expressway and 59-02 to 59-28 Granger Street, northwest corner; 105-20 to 105-38 Westside Avenue and 60-01 to 60-11 Xenia Street, Block 1963, Lot 5, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Levine and Warren J. Heeg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on May 27, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does

hereby *amend* the resolution adopted by the Board on May 27, 1958 by adding thereto:

“that in the event the owner desires to reduce the size of the plot, such reduction may be permitted as proposed and as shown on revised plans marked “Received July 14, 1958”, three sheets, as passed on by the Borough Superintendent under NB App 3687-57, disapproved July 11, 1958; that in all other respects the requirements of the resolution cited above shall be complied with and fences as required and planting shall be adjusted to meet the requirements of the reduced area.”

327-55-BZ

APPLICANT—Esso Standard Oil, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non automatic) minor auto repair shop, with hand tools only, and the parking of motor vehicles awaiting service, for a term of 15 years.

PREMISES AFFECTED—202-06 Hillside Avenue, southeast corner of 202nd Street, Block 10496, Lot 52, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened, resolution amended and time to complete extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 24, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work and amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 24, 1956 insofar as it has reference to obtaining permits and completion of the work and to amend as to change in pumps so that as *amended* this portion of the resolution shall read:

“all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution; and to add thereto:

“that there may be two concrete pump islands one with three pumps and one with two pumps instead of one concrete pump island with three single pumps and one dual pump as now proposed and shown on revised plans marked “Received July 17, 1958”, one sheet, as passed by the Borough Superintendent NB App 1088-55 and Misc 209-55.”

398-55-BZ

APPLICANT—Joseph Tanenbaum, for Solgus Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a, 7c and 7h of the Zoning Resolution, permitting the extension of a business use into the residence use portion of plot within an existing building, located in a business retail and residence use district and permitting the parking of motor vehicles in residence use district portion of plot.

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PREMISES AFFECTED—43-25 and 43-29 Bell Boulevard, east side, 78.4 feet north of Northern Boulevard and 43-24 and 43-26 214th Place, Block 6300, Lot 6, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 26, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on September 10, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 26, 1955 as thereafter *amended* by resolutions adopted through September 10, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 1435/53)

permitting in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, office and sales, minor auto repairs, storage room, parking and storage of motor vehicles; proposed show window and sign within 75 feet of the residence use district.

PREMISES AFFECTED—42-05 Lawrence Street and 132-02 to 132-06 Sanford Avenue, southeast corner, Block 5101, Lot 7, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 5, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on February 4, 1958; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 5, 1957 as thereafter *amended* by resolution adopted on February 4, 1958 by adding thereto:

"that there may also be minor repairing under Section 7i for similar term provided such repair work is of a minor nature with hand tools only for adjustments maintained solely within the accessory building." (N.B. 5305/55)

916-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Mary Marano and Richard Carbisiero, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution, size of buildings—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence use D area district, the proposed partial demolition, reconstruction and extension of use of existing restaurant, bar and grill, cabaret, banquet and meeting rooms and one family dwelling on 2nd floor, to restaurant bar and grill, cabaret and banquet and meeting rooms, brides waiting rooms, proposed extension to exceed permitted coverage.

PREMISES AFFECTED—21-01 to 21-13 24th Avenue and 23-83 to 23-91 21st Street, northeast corner, Block 876, Lots 12 and 14, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

The resolution will be printed in the Bulletin of August 5th in conjunction with Calendar Number 917-55-A.

95-56-BZ

APPLICANT—Ervin Palmer, for 85 Lewis Street Realty, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution, use of premises by tenant—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a retail and residence use district, a proposed garage for five motor vehicles (trucks) on a lot partly in a residence use district by Art. II, Sec. 3 of the Zoning Resolution. Proposed 100% coverage of an interior lot by a garage partly within a residence use district and wholly in a C area district is not permitted by Art. IV, Sec. 13B of the Zoning Resolution.

PREMISES AFFECTED—111 Madison Street, north side, 85 feet west of Market Street, Block 277, Lot 19, Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 23, 1956, on certain conditions; and

WHEREAS, the resolution was amended on January 21, 1958; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 23, 1956

74-56-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7h and 7A of the Zoning Resolution,

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as thereafter *amended* by resolution adopted on January 21, 1958, so that as *amended* this portion of the resolution shall read:

"that in the event the owner desires to install a gasoline storage tank and pump within the premises for the use of his own trucks, and his tenant's, such may be permitted *on condition* that in all other respects the resolution shall be complied with." (N.B. App. 144/55)

571-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Lazarus Rosenberg, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution, auto laundry—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i, 7e and 21 of the Zoning Resolution, permitting in a business and unrestricted use C area district, the erection and maintenance of a gasoline service station, office and sales, lubricatorium, minor auto repairs and high speed auto laundry; also the erection of a factory on the same plot, occupying more than the permitted coverage.

PREMISES AFFECTED—557-569 7th Avenue, 373-393 20th Street, northeast corner and 360-386 19th Street, Block 887, Lots 1, 18 and 72, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 29, 1957, on certain conditions; and

WHEREAS, the resolution was amended on March 18, 1958; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 29, 1957 to restore the auto laundry which was omitted by request of the applicant by resolution adopted by the Board on March 18, 1957 *on condition* that the resolution above cited shall be complied with in all other respects; and to permit additional curb cut as shown to 19th Street, as passed on by the Borough Superintendent under Alt. App. 2100-58 disapproved July 7, 1958, as shown on plans marked "Received July 9, 1958", 4 sheets, showing existing conditions and restoration of high speed auto laundry and new curb to 19th Street; and to extend the time to complete so that as *amended* this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 117-58.)

839-56-BZ

APPLICANT—Leonard F. Rothkrug, for Vincent Caiazza, owner; Louis Baffa, lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired December 25, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change of use of an existing structure from garage to a motor vehicle repair and body repair shop.

PREMISES AFFECTED—491 Lorimer Street (489 displayed), west side, 75 feet south of Powers Street, Block 2779, Lot 26, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 25, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that all work has been completed and additional time is required to obtain a certificate of occupancy, that such certificate of occupancy shall be obtained within six months from the date of this *amended* resolution." (Alt. App. 2328/56)

886-56-BZ

APPLICANT—Morton S. Cahn, for Simon Molfetto and Joseph De Dona, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7c, 7e, 7A and 21 of the Zoning Resolution, permitting in an unrestricted and residence D area district, the erection of a modern 1 story fireproof building to be used as a storage garage for more than 5 motor vehicles, motor vehicle repair shop and service and office, occupying more than the permitted area coverage and having a business entrance within 75 feet of a residence zone.

PREMISES AFFECTED—106-10 98th Street, west side, 47.15 feet south of Rockaway Boulevard, Block 9168, Lot 14, Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Morton S. Cahn.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 23, 1957, on certain conditions; and

WHEREAS, the resolution was amended on November 19, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions adopted through November 19, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 4463/56)

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333-57-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7A of the Zoning Resolution, permitting in a business and residence use district, the extending of the use of the present gasoline service station by the erection and maintenance of a modern gasoline station, lubritorium, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, with entrances, show windows and signs within 75 feet of the residence use district.

PREMISES AFFECTED—8769-8783 Bay Parkway and 2202-2212 Bath Avenue, southwest corner, Block 6448, Lot 26, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 3, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 3, 1957 by adding thereto:

"that in the event the owner desires to make certain minor changes the following may be permitted,

1. the accessory building may be changed to the following dimensions: 53 ft. 4 in. by 28 ft. 8 in. instead of 62 ft. by 30 ft.

2. faced with face brick on all sides with porcelain enamel trim on the two street fronts;

3. there may be two additional 550 gallon approved gasoline storage tanks making a total of twelve such tanks;

4. arrange the pump islands so that there will be one island with three pumps facing Bath Avenue and one island with two dual pumps and one single pump facing Bay Parkway instead three pump islands as originally granted; and

5. that all pumps shall be of an approved type and set back not less than 15 feet from the base of the pump island to the lot line;

6. that all old existing gasoline tanks shall be removed or sealed and four present portable gasoline pumps shall be removed from the premises and not reinstalled;

7. that there may be a two-leaved brand sign at the intersection overhanging the lot line, illuminated, advertising the brand of gasoline on sale and permitting such signs to extend beyond the building line for a distance of not more than four feet;

8. to rearrange the proposed curb cuts so that there will be two 28 ft. curb cuts with splays to Bath Avenue instead of the two 35 ft. curb cuts originally approved and two 30 ft. curb cuts to Bay Parkway instead of the existing 17 ft. curb cut and including two 30 ft. curb cuts; that no curb cut shall be nearer than five feet from any interior lot line as prolonged and curb cuts from Bath Avenue and Bay Parkway to be a minimum distance of 25 ft. on each street from the intersection, as shown on revised plans marked "Received July 17, 1958", 3 sheets."

526-57-BZ

APPLICANT—Leonard F. Rothkrug, for Sondra Veechio and Anna Cara, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution, fence—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence and manufacturing use district, the maintenance of a parking lot for a term of 5 years.

PREMISES AFFECTED—22-28 North Portland Avenue, west side, 197 feet south of Flushing Avenue, Block 2027, Lots 35, 36, 37 and 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 8, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 8, 1958, by adding thereto:

"that in the event the owner acquires ownership to the adjoining lot to the north, No. 34 in Block 2027, adjoining the premises which are the subject of this application, and the zoning of such lot is manufacturing, where parking would be permitted and the Building Superintendent grants a permit for such parking, the fences required by the resolution above cited on the northerly lot line may be omitted, provided such fences as may be required by the Borough Superintendent are constructed in connection with Lot 34; and that in all other respects the resolution above cited shall be complied with." (Alt. 1705/57.)

1283-18-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Socony Mobil Oil Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, permitting the erection of a public garage.

PREMISES AFFECTED—1702-1714 Neptune Avenue and 2802-2814 West 17th Street, southwest corner, Block 7020, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

593-41-BZ—Vol. III

APPLICANT—William B. Lichtner, for Farcok Theater Corp., owner. Lee Service Center, lessee.

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SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, auto laundry, sales room and office and permitting the parking and storage of motor vehicles on unbuilt upon portion of lot.

PREMISES AFFECTED—1025 Beach 19th Street, west side, 97 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: William B. Lichtner.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

850-47-BZ

APPLICANT—Henry Nordheim, for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired February 17, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, for a term of years, a laundrette.

PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Nordheim.

ACTION OF BOARD—Application reopened and set for new hearing on September 23, 1958 at 10 A. M. to consider the extension of term of variance subject to the regular procedure waiving all requirements except a new decision of the Borough Superintendent which has been filed and to permit two publications in the Bulletin as notice; in view of the term of variance previously granted having expired on February 17, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff, for Aujo Realty Corp., owner. Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7h of the Zoning Resolution, permitting in a business and unrestricted use district, the change in occupancy from stable and milk distribution building to auto showroom for new and used cars, storage garage for more than 5 motor vehicles, lubricatorium, motor vehicle repair shop, welding, auto painting and parts department, and the parking of more than 5 motor vehicles for patron's and employee's and the sale and display of more than five used cars in open portion of lot.

PREMISES AFFECTED—6002-24 Ft. Hamilton Parkway, west side of 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph E. Leff.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

416-54-BZ

APPLICANT—Max Siegel, for Kollsman Instrument Corp., lessee. Leator Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 17, 1956—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees (no fee to be charged).

PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: John M. Hioner.

ACTION OF BOARD—Application reopened and set for hearing on September 23, 1958, 10 A. M., to consider extension of term of variance which expired on October 17, 1956, subject to the regular procedure waiving all requirements except a new decision of the Borough Superintendent which has been filed and to permit two publications in the Bulletin as notice.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

574-21-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Emil Mosbacher; owner. Red and White Markets, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business and residence use district, the small area which is in the residence use district and which is now part of the present theatre, to be used as part of the proposed food market.

PREMISES AFFECTED—1-15 East Kingsbridge Road and 2658-2690 Jerome Avenue, northeast corner, Block 3317, Lot 6, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Request for amendment withdrawn by applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

Adjourned: 7:15 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 15, 1958, as they appeared in Bulletin No. 16, Vol. 43, hereby corrected to read as follows:

984-57-SA

APPLICANT—Tokheim Corp., owner.

SUBJECT—Application December 23, 1957—Tokheim Submerged Pumps for pumping motor fuel, gasoline by remote control, Models 55-E, 55-ES, 72-E, 72-ES, 70-E and 70-ES and Tokheim Pressure Regulator, Model 52, approval of.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

APPEARANCES—

For Applicant: A. P. Lapansky and John F. Dixon.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Not Voting: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 984-57-SA.

Subject: Tokheim Submerged Pumps for Pumping Motor Fuel, Gasoline, by Remote Control, Models 55-E, 55-ES, 72-E, 72-ES, 70-E, 70-ES and Tokheim Pressure Regulator, Model 52.

Tokheim Corporation, Fort Wayne, Indiana, filed December 23, 1957 an application with the Board of Standards and Appeals for approval of the Tokheim Submerged Pump Models 55-E, 55-ES, 72-E, 72-ES, 70-E, 70-ES and the Tokheim Pressure Regulator Model 52 for use in New York City under the provisions of Section C19.69.c Administrative Code.

Purpose

Submerged type pumps for installation in underground storage tanks.

Description

These pumps are centrifugal pumps designed for installation into the top of underground storage tanks through a minimum 3½ inch threaded opening. They are used in service stations for pumping gasoline from storage tanks to remotely located dispensing units.

The Model 55-E Submerged Pump and Motor Unit is equipped with a Special design, heavy duty, electric motor rated at ¾ H.P., Approximately 60 G.P.M. Capacity. The Model 55-ES is exactly the same as the Model 55-E, but is furnished equipped with a Siphon Valve arrangement for manifolding together two or more underground storage tanks.

The Model 72-E Submerged Pump and Motor Unit is equipped with a Special design, heavy duty, electric motor rated at 1½ H.P., Approximately 40" G.P.M. Capacity. The Model 72-ES is exactly the same as the Model 72-E, but is furnished equipped with a Siphon Valve arrangement referred to above.

The Model 70-E Submerged Pump and Motor Unit is equipped with a Special design, heavy duty, electric motor rated at ⅓ H.P., Approximately 30 G.P.M. Capacity. The Model 70-ES is exactly the same as the Model 70-E, but is furnished equipped with a Siphon Valve arrangement referred to above.

Each of the above-mentioned units are the same—except for the difference in the windings and rated horsepower of the electric motors, and the difference in delivery capacities. Each Submerged Pump Motor is provided with built-in Thermal Overload protection. Static wire is provided in pump manifold to ground the electric conduit.

Each Submerged Pump and Motor Unit is furnished with an Electrical Control Panel which contains a line relay, start relay, start capacitor, run capacitor, manual reset overload, and a pilot light.

When the submerged pump motor is turned "on", the liquid "pumped" by the impellers flows through and around the integral explosion-proof motor, cooling and lubricating same. Air or vapor present in the 2" discharge pipe, between the pumping unit and the pump manifold, is eliminated through the steel tube running from the pump manifold downward into the liquid in the storage tank, and the outlet of this tube is at the top of the pump motor. This tube by-passes a small amount of liquid whenever the pump motor is operating, which serves to continually replace liquid within the area around the electric motor and within the 2 inch supply pipe and pump manifold, even when product is not being dispensed, and has a cooling effect on the motor. A Pressure Relief Valve in the pump manifold relieves excess pressure in the supply pipes and Dispensers. A built-in Check Valve maintains pressure and keeps the system full of product in the supply pipe and dispensers on the discharge side of the pump manifold.

When these Submerged Pump and Motor Units are used as Booster Pumps, the Model 52 Pressure Regulator, which is a hydraulic pressure regulating valve, is installed under a complete, self-contained suction pump, or pumps, and this valve automatically balances the pressure and vacuum system, and acts as a positive, emergency shut-off valve.

A special Current Relay is used to connect the existing island electric circuit of the self-contained pump, or pumps, with the power service of the remote control submerged pump and motor unit.

The junction box and discharge heads of the pumps are kept accessible by installing a heavy steel street box in the concrete slab over the tank and pump head. The cover plate of the box is secured by countersunk fastening lugs.

Inspection and Test

All details of construction were examined by Ass't Engr. G. F. Sklenarik, Committee on Test.

The Model 55E and ES, 70-E and ES, 72-E and ES and the Model 52 Pressure Regulator have been tested and approved by the Underwriter's Laboratories under file MH281, MH4948 and MH6810.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Tokheim Submerged Pumps Models 55-E, 55-ES, 72-E, 72-ES, 70-E and 70-ES and the Tokheim Pressure Regulator Model-52 for use in New York City when installed in accordance with this report, the provision of C19-69.0 Administrative Code and the requirements of the Electrical Code of the City of New York and provided that each appliance shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 984-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,

GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

* Correction—In the Report of Committee on Test, under the heading of *Description*, 3rd paragraph, the electric motor rate changed from "⅓" to "1½" H.P. and the capacity changed from "30" to "40" G.P.M.

BOARD OF STANDARDS AND APPEALS
MUNICIPAL BUILDING
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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

352.05
NEW
287

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York
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DIRECTORY

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and Chambers Streets, New York 7, N. Y.

TELEPHONE—WHitehall 3-3600, Extensions 2600-2609.

OFFICE HOURS FOR PUBLIC—9 a.m. to 4 p.m.

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57-SA.

BOARD'S NEW OFFICES

The meeting held July 29, 1958 was the last to be held
at the Board's Hearing Room on the tenth floor of the
Municipal Building.

The Board's offices on the tenth floor will be dismantled
during August preparatory to removal to the Board's new
quarters at 80 Lafayette Street, ninth floor, Manhattan,
which it is expected will be ready by Wednesday, Septem-
ber 17, 1958 for the first hearing.

HARRIS H. MURDOCK, *Chairman.*

PETITIONS AND CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On July 23, 1958, Copy of Petition and Order of Certiorari was
served on the Board by Hecht, Hadfield, Farbach and McAlpin,
attorneys for Pacwest Realty Corp., owner, seeking a review of the
Board's denial on June 17, 1958 of their application reopened Janu-
ary 21, 1958 as Vol. II—decision of the Borough Superintendent,
under section 7e of the Zoning Resolution, to permit in a restricted
retail use district, facilities for gasoline service or oil selling for oc-
cupants only in connection with the garage, presently approved, lo-
cated in the sub-cellar, cellar, first floor and mezzanine of a 22 story
building now under construction; Cal. No. 171-53-BZ—Vol. II;
premises 660-666 Madison Avenue, 8-28 East 61st Street, southwest
corner and 13-19 East 60th Street, Block 1375, Lot 56, Borough
of Manhattan.

On July 28, 1958, Copy of Order and Petition was served on the
Board by Lammers & Mullaney, attorneys for Martha Schwinger,
Hazel L. Lewis, et al, objecting property owners, seeking a review
of the Board's determination on June 24, 1958 of their application
under Section 7h of the Zoning Resolution to permit in a residence
use district, the use of the vacant lot for the parking and storage
of more than five motor vehicles, for a term of five years; Cal. No.
994-57-BZ; premises 1627-1631 Undercliff Avenue, west side, 349.8
feet south of West 176th Street, Block 2880, Lot 129, Borough of
The Bronx.

* * * * *

COURT DECISIONS

Margaret Daly vs. Board of Standards and Appeals:—On May 7,
1957 the Board granted a variance under Section 7h of the Zoning
Resolution, permitting the residence use portion of the plot in the
rear of an existing public garage, the parking of motor vehicles for
a term of five years; Cal. No. 381-27-BZ—Vol. IV; Premises 88-09
Roosevelt Avenue, Elmhurst, Borough of Queens. Owner of prem-
ises: Cord Meyer Co., lessee—Jackson 89th St. Garage Inc.
At Supreme Court, Special Term, Mr. Justice James J. Conroy
affirmed the Board's determination, stating in part as follows:

"In a proceeding to review and annul the determination of
respondents granting a variance to intervenor respondent permit-
ting it to park and store more than five motor vehicles on va-
cant land in a residence district adjacent to garage located in a
business district, respondents move to vacate the order of cer-
tiorari, dismiss the petition and affirm their determination. The
motion is granted. It can hardly be said on the papers before
the court that said determination was arbitrary or capricious
or contrary to law."

Published in the New York Journal, July 21, 1958, page 4.

Betty Bryer vs. The Board of Standards and Appeals:—On De-
cember 11, 1956, the Board granted a variance under Section 21 of
the Zoning Resolution, to permit a one family house to be occupied
for two families in a G-1 area district, Cal. No. 288-56-BZ; Premises:
86-09 188th Street, Hollis, Borough of Queens. There were a num-
ber of multi-family dwellings already in the area permitted when the
zoning allowed them. Jamaica Estates, Inc. obtained an order and a
petition for court review on January 14, 1957. A stipulation of dis-
continuance was filed on March 11, 1957 but this was declared a

(Continued on Page 1595)

CALENDAR

DOCKET

New Cases filed up to July 29, 1958

Cal. No. Dept. Premises Affected

446-58-BZ—B.Q.—37-08 24 Street, west side, 52.12 feet south of 37th Avenue, Block 366, Lot 32, Long Island City, Borough of Queens, Alt. 1135-58. Change in use from storage to garage for more than 5 cars, etc. Business use district.

447-58-SA—Thompson Vented Circular Type Room Heaters, Gas-fired, Models Acme and Heatflo, Series 515V, 520V, 530V, 540V, 550V and 570V, manufactured by A. F. Thompson Manufacturing Co., Appliance.

448-58-BZ—B.Q.—23-77 (23-79 official) 21st Street and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens, Alt. 1341-58—Parking and storage of patron's cars, etc. Residence use district.

449-58-A—B.B.—25 Tompkins Avenue, east side, 75 feet south of Hopkins Street, Block 1726, Lot 5, Borough of Brooklyn, Alt. 2141-58—Class 4 construction, stairs, live load, commercial use.

450-58-BZ—B.B.—480-496 Ralph Avenue and 1626-1636 Prospect Place, southwest corner, Block 1369, Lot 39, Borough of Brooklyn, Alt. 3777-57. Change in occupancy to auto repair shop, spray booth, parking for three motor vehicles, etc., local retail use district.

451-58-A—F.D.—162-01 Powells Cove Boulevard, north side, 120-01 feet east of 161st Street, Block 4574, Lot 41, Beechhurst, Borough of Queens, Order 4915-8—Storage of liquefied Chlorine.

452-58-A—B.M.—15-19 West 4th Street and 267 Mercer Street, northwest corner, Block 546, Lot 23, Borough of Manhattan, Alt. 660-58—re: Egress and fire escape.

453-58-A—F.D.—175-15 to 175-25 Liberty Avenue, north side, 150 feet west of 177th Street, Block 10219, Lot 300, Jamaica, Borough of Queens, Order 7044-7 and decision—re: Barred windows.

454-58-SA—Royal thru-the-Wall, Gravity Type, Vented Recessed Heater, Gas-fired, Models DV-20 and DV-30, manufactured by Chattanooga Royal Co., Appliance.

455-58-BZ—B.R.—194 Brighton Avenue, southwest corner of Sumner Place, Block 117, Lot 20, New Brighton, Borough of Richmond, Alt. 94-58—Alteration to gasoline service station, repairs, lubritorium; business entrances. Local retail and residence use district.

456-58-BZ—B.Bx—2800-2806 Boston Road, northeast corner of Radcliff Avenue, Block 4516, Lots 856 to 863, inclusive, Borough of The Bronx, NB 583-58. Erection and maintenance of gasoline service station, lubritorium, car wash, repairs, office and Sales, parking and storage—Business use district.

457-58-BZ—B.Bx—2330-2334 Cambreleng Avenue, east side, 274.52 feet south of East 187th Street, Block 3089, Lots 18, 19 and 20, Borough of The Bronx, Alt. 485-58—Parking and storage. Residence use district.

458-58-BZ—B.B.—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20, 22 and 24, Borough of Brooklyn, Alt. 2030-58, Parking and storage more than 5 vehicles. Local retail use district.

459-58-SA—Turbo-Heat Power Gas Conversion Burner, Models PBS-185 and PBS-210, manufactured by The Barber Manufacturing Co., Appliance.

460-58-SA—Gun-Heat Gas Conversion Burner, Models IN-5-A, IN-9-A and IN-15-A, manufactured by The Barber Manufacturing Co., Appliance.

Restored to Docket

186-53-BZ—Vol. II—B.Q.—216-06 Hillside Avenue and 88-01, 88-13 216th Street, southeast corner, Block 10676, Lot 17, Hollis, Borough of Queens, N.B. 1346-58—erection and maintenance of—gasoline service station, lubritorium, minor repairs, etc., ground sign—Local retail and residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior)....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules ...	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
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Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—	July 11, 1958.

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

SEPTEMBER 17, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, September 17, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

CALENDAR

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars awaiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expired July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufac-

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turing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, September 17, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

506-55-SA

APPLICANT—Cole Products Corporation, owner.

SUBJECT—Application June 14, 1955—Cole Spa Coin Operated Automatic Cup Vendor, Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe, approval of.

695-55-SA

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner, Gas-fired Unit Heater, Model FDS-55, approval of.

718-55-SA

APPLICANT—Empire Stove Company, owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C, approval of.

933-55-SM

APPLICANT—Town House Fabrics Corporation, owner.

SUBJECT—Application November 18, 1955—Hanover Drapery Fabric, approval of.

487-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.

SUBJECT—Application June 21, 1956—Temco Radiant Vented Circulator Room Type Gas Heater, Models 304-4, 604-4 and 754-4, approval of.

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488-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.
SUBJECT—Application June 21, 1956—Temco Vented Circulator Room Type Gas Heater, Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4, approval of.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters and Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184, approval of.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Company, owner.
SUBJECT—Application January 11, 1957—Steelcraft Series 16B and 20B Doors, approval of.

561-57-SA

APPLICANT—Westinghouse Electric Corporation, owner.
SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

131-58-SA

APPLICANT—H. M. Ficker for Enterprise Engine and Machinery Company, owner.
SUBJECT—Application March 13, 1958—Enterprise Combination Gas-oil Burners, Types AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

985-40-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

538-45-SA

APPLICANT—Cyclotherm Division of National U. S. Radiator Corp., owner.
SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.
SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.
SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates ¾ Hour Double-Hung Window; previously approved.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re 1½ Hour Flush Type Door; previously approved.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homar, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wood Batts; previously approved.

286-49-SA

APPLICANT—Maytag Company, owner.
SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers, namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.
SUBJECT—Application reopening and amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door (1¼ inch thick), ¾, 1 and 1½ Hour Rating; previously approved.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.
SUBJECT—Application reopening and amendment of resolution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.
SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.
PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

463-58-A

APPLICANT—Rodney W. Burton, for Jones and Laughlin Steel Corp., owner.
SUBJECT—Application July 30, 1958—Appeal from a decision of the Borough Superintendent—re Class 5 construction, height excessive.
PREMISES AFFECTED—30-49 and 30-69 Review Avenue, northeast corner of 35th Street, Block 295, Lot 101 and Block 297, Lots 1, 25, 26, 27, Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 23, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district,

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the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.
PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.
SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.
PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.
SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.
PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.
SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.
PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.
SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business

use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.
PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.
SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.
PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.
SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.
PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.
SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.
PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.
SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.
PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubritorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Co., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district,

the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in

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occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, south-

east corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

77-58-BZ

APPLICANT—Hadyn H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

302-41-BZ—Vol. II

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

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383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent)

under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for revised plans showing planted area.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant.

HARRIS H. MURDOCK, *Chairman.*

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SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

361-58-A

APPLICANT—Mastro Plastics Corp., owner.
SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.
SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.
PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.
SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.
PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.
SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.
PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.
SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision;

hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.
SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, JULY 29, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the special meeting of the Board held on Friday morning, July 11, 1958, and the minutes of the regular meetings of the Board held on Tuesday morning and afternoon, July 15, 1958, were approved as printed in the Bulletin of July 22, 1958, Vol. 43, No. 29.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold H. Fassler.

For Opposition: Isidore Rivinson, Frank Camposto, Joseph Favaloro, May Passalacqua, Michale Cicale, Rose A. Hamill, Antonio Mannino, Vita Sala, Mamcy Lucido and Mae Gazzillo.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A.M. for further consideration after the carbarn site in the area has been sold by the City, as proposed use of subject site may interfere with the sale of such property; hearing previously closed.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner Boulevard, southwest corner of White Plains Road, Block 3671, Lots 50 and 60, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for further consideration; hearing previously closed.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Rosenblum and Louis R. Colman.

For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for revised plans showing planted area; hearing previously closed.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, 10 A.M. at the request of the applicant; hearing previously closed.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

For Opposition: Frank Carney.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. at the request of the applicant for additional hearing, and no further notices shall be sent.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Opposition: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A.M. for further consideration and revised plans; hearing previously closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: Leonard Rothkrug.
For Opposition: Rolon W. Reed.

ACTION OF BOARD—Laid over to September 23, 1958, at 10 A.M. for further consideration by the Board; each side may file reply briefs only within ten days from July 29, 1958; hearing previously closed.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of the Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.
For Opposition: Rolon W. Reed.

ACTION OF BOARD—Laid over to September 23, 1958, at 10 A. M. for further consideration; each side may file reply briefs only within ten days from July 29, 1958; hearing previously closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubricatorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Curro.
For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A. M. at the request of the applicant to submit revised plans to the Board and notice to be sent to all the owners in the area.

824-27-BZ—Vol. II

APPLICANT—Herbst and Rusciano, for Nationwide Investors, Inc., owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot partly in a business and partly in a residence use district, the change in use of an existing public garage for the storage of more than five (5) motor vehicles, previously granted by the Board to factory for the manufacture of metal products on the second floor, and bowling alleys on the first floor.

PREMISES AFFECTED—2846 Webster Avenue, east side, 299.75 feet south of Bedford Park Avenue, Block 3273, Lot 114, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 28, 1958 subject to regular procedure, to consider extension of building and use; and

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Bedford Park Boulevard are in business and residence use, B area, class 1¼ height districts; Webster Avenue is in a business use, B area, class 1¼ height district; East Fordham Road is in a residence use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 29, 1958 acting on Alt. Applic. No. 1032-57, reads:

"1. Proposed extension of commercial use into a residence use district is contrary to Art. II Sect. 3 of the Z.R. and Cal. #824-27-BZ of the Bd. of S & A."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 113 feet 8 inches in depth, irregular in area, on which is located a two story building 30 feet in height, erected in 1928 of fireproof construction and used in accordance with Resolution of the Board under Cal. No. 824-27-BZ as a public garage, and being altered under an approved plan for the use as a factory for metal products manufacture in the front 100 feet, in the business use district; that it is proposed to extend the proposed approved factory for metal products manufacturing use in the front 100 feet to the rear portion of the building within the residence use district on the second story and to permit bowling alleys on the first story; and

WHEREAS, the applicant states that the proposed uses are conforming uses in the business use district as proven by the approval of the Department of Buildings; that the rear residence use portion adjoins and overlooks the railroad tracks of the New York Central Railroad; that there are no residences or residence uses adjoining or anywhere near that portion of the premises in the residence use district; that the premises can no longer be economically used for the use originally granted by the Board, as for the past several years the garage has had only 40% occupancy; and

WHEREAS, the applicant contends that the Board first considered these premises under Cal. No. 824-27-BZ, Vol. I and granted on condition on December 27, 1927 under Sections 7e and 21 of the Zoning Resolution, permission for the erection and maintenance of a garage for the storage of more than five motor vehicles; that the garage was subsequently constructed and used until recent times in accordance with the Resolution of the Board; that the use of the premises as a garage has proved to be uneconomic and the owner caused an alteration application to be filed and approved to use the front 100 feet, which is in the business use district, for factory use, on condition that a separating wall be constructed at the line dividing the zones; that it is now proposed to remove the requirement for the proposed wall; and

WHEREAS, the applicant further contends that the typical zoning pattern and plan through the City restricts zones to 100 foot depths; that since most tax lots fronting on a street are 100 feet in depth, the zoning pattern is proper; that the subject tax lot is more than 100 feet in depth and therefore the premises are in two zones; that the depth of this tax lot was determined by the railroad train lines which bound the tax lot at the rear; and

WHEREAS, the applicant also contends that all truck loading and unloading will be in the business use district portion, where the use is conforming; that there is no alteration proposed to that portion of the premises in the residence district; and

WHEREAS, the applicant states that the present owner has held title to the property since September 4, 1956; that the assessed valuation of land is \$34,000 and of the building \$73,000 making a total of \$107,000; that the building was erected in 1928; and

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WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application be granted on condition, and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the extension of use into the more restricted district substantially as proposed and as indicated on plans filed with this application marked "Received December 30, 1957", 4 sheets, "April 3, 1958", one sheet, and "June 4, 1958", 7 sheets, to permit the change of use from public garage to factory for manufacturing metal products on the second floor and bowling alleys on the first floor *on condition* that the buildings shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

119-29-BZ—Vol. III

APPLICANT—John J. Tricarico, for Elizabeth Stevens, owner.

SUBJECT—Application reopened February 11, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the open garage for more than five (5) motor vehicles into the adjoining lot.

PREMISES AFFECTED—621-625 Halsey Street, north side, 200 feet west of Patchen Avenue, Block 1662, Lots 59 and 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Tricarico.

For Opposition: Samuel Quarterman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on February 11, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Patchen Avenue are in a residence use, C area, class 1 height district; Halsey Street and Hancock Street are in residence and local retail use, C area, class 1 height districts; Reid Avenue is in a local retail use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 20, 1958 acting on amendment to Alt. Applic No. 4468-54, reads:

"1. Proposed change of occupancy from garage to garage and open parking and storage for more than five (5) motor vehicles in a residence zone is contrary to Art. II, PP. 3 of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 100 feet in depth; that it is proposed to extend an existing legal automobile parking and storage lot; and

WHEREAS, the applicant states that at the present time, on the 50 foot by 100 foot of the eastern portion of this combined plot, there is Certificate of Occupancy No. 71790-33 for open garage for more than five motor vehicles; and

WHEREAS, the applicant further states that survey of the immediate neighborhood shows that the plot in question is located in a residential area occupied predominantly with old

residential buildings that have no garage facilities, forcing automobile owners to park their vehicles in the street; and

WHEREAS, the applicant contends that two-thirds, or 50 feet, of the combined plot is now legally occupied as a parking and storage lot for more than five motor vehicles; that there is a dire need for additional motor vehicles parking and storage facilities to service the automobile owners in the immediate community; that evidence of this need is reflected in the number of consents received from property owners in the affected area; that these consents represent a majority of the property owners who objected at the time of the original hearing; that there is no exit or entrance to any public school, playground, public park or religious school; and

WHEREAS, the applicant states that the present owner has held title to the property since December 1, 1953; that the assessed valuation of land is \$5,500 and of the building \$300 making a total of \$5,800; that the building was erected more than 50 years ago; and

WHEREAS, the premises and surrounding area were inspected again by a committee of the Board and in view of the fact so much of the property is permitted to be used for garage use, the Committee is of the opinion that if the buildings and fence were removed and the entire plot used for a parking lot it would be a better condition and so recommended; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the use of the entire premises for the parking and storage of motor vehicles of the pleasure car type only, as indicated on plans filed with this application, marked "Received March 31, 1958" 4 sheets, *on condition* that all buildings and uses on the site shall be removed, except that the two-story brick building in the rear may remain for use as garage on the first story and the second floor rearranged for the use of one family; that such building shall be painted and made presentable; that the premises shall be graded substantially to the grade of Halsey Street, surfaced with clean gravel or steam cinders treated with a binder and properly rolled; that there shall be erected on all lot lines where masonry walls of adjoining buildings do not occur, a woven wire fence of the chain link type erected on a masonry base to a total height of not less than 5 feet, 6 inches; that a similar fence shall be erected on the street building line with no openings therein except two for exit and entrance, each not over 10 feet in width, equipped with gate and with curb cuts opposite not more than 14 feet in width; that such gates shall remain closed when the parking lot is not in operation; that suitable bumpers shall be maintained against the fences, not less than five feet therefrom, for their protection; that such bumpers shall be properly anchored and continued against the walls of brick buildings on the lot lines; that the sidewalk and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the fences near the gates, advertising the parking and storage use, the rates charged and such other information as the Commissioner of Licenses may require; that such signs, if two are erected shall not exceed five square feet in area each, and if one, ten square feet in area; that aisles shall be maintained for easy ingress and egress; and that all permits required and a certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

512-29-BZ—Vol. IV

APPLICANT—Burke, Green and Groh, for Merry Twins, Inc., owner.

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SUBJECT—Application reopened April 8, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124 (Lot 18 assigned), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh, William Sussman and Bernard Sussman.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. IV on April 8, 1958 subject to regular procedure, to consider additional use; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Horace Harding Expressway and 174th Street are in business and residence use, D area, class 1 height districts; 65th Avenue and Fresh Meadow Lane are in a business use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 6, 1958 acting on Alt. Applic. No. 2114-57, reads:

"1. The alteration to an existing gasoline service station partly in a Business and partly in a residence use district with accessory auto washing, lubrication, office, sale of auto accessories, minor repair with hand tools only, and parking and storage for more than five motor vehicles is contrary to the original variance granted under Cal. No. 512-29-BZ of the B.S. & A. and Art II, Sec. 3 and Art. II Sects. 4(a) (46) Zoning Res.

"2. The erection of a new ground sign in a business use district is contrary to the original variance granted under Cal. No. 512-29-BZ of the B.S. & A. and Art. II Sec. 4(a) (49) Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 170.55 feet frontage by 100 feet in depth, irregular; that it is proposed to extend the area of the present station for a distance of 155 feet along Fresh Meadow Lane, by 100 feet in depth; that an extension on the south side of the present accessory building will be constructed, and this new portion will be used for sales and display area; that twelve additional gasoline tanks will be installed in the new area and additional approved gas pumps on concrete islands will be installed 15 feet back from the building line; that additional concrete islands, with a canopy above them, will be erected at the rear of the plot to furnish service—air, water and vacuum cleaners—for the cars; that a new 5 foot 6 inch high woven wire fence will be erected on the new south lot line and a 5 foot 6 inch high brick fence wall will be built on the new east lot line; that a strip of shrubbery, protected by a concrete curb, will be provided along the entire east lot line; that four new curb cuts will be installed along the new frontage for access to this area; that the present portion will be altered slightly; that curb cuts will be revised; that six existing 550 gallon gas tanks near the corner will be discontinued and sealed and existing gasoline pump location will be altered slightly; that the entire new area will be located completely within a business

use district; that the present station is partly in a residence use district; that the ground sign referred to in Objection No. 3 is the usual post standard and gasoline brand sign; and

WHEREAS, the applicant further states that the City is in the process of taking the corner of part of the present property of Merry Twins, as is shown on plans, so that no curb cuts are actually in existence in this area at the present time, but they will be installed in accordance with the provisions of the Board's Resolution under Cal. No. 512-29-BZ, Vol. III, as soon as the actual taking by the City is consummated; and

WHEREAS, the applicant contends that the huge increase of traffic, due to the new parkway, makes the present station inadequate and therefore this variance is sought to establish sufficient facilities to accommodate the anticipated number of automobiles desiring service at this station; and

WHEREAS, the applicant states that the present owner has held title to the property since 1956; that the assessed valuation of land is \$49,200 and of the building \$15,000 making a total of \$64,200; that the building was erected in 1950; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 25, 1950, under Vol. II, as thereafter amended by resolution adopted on April 17, 1956, under Vol. III, by adding thereto:

"that in the event the owner desires to extend the area of the gasoline service station on the southerly side, along Fresh Meadow Lane, as now proposed and indicated on plans filed with this application, marked 'Received March 6, 1958', 6 sheets, and 'June 13, 1958', 1 sheet, such extension of use may be permitted, provided the extension proposed to be maintained only for the gasoline selling area in addition to the present gasoline selling area shall be rearranged with pumps parallel to Fresh Meadow Lane instead of at right angles thereto; that the number of gasoline storage tanks may be twelve additional approved tanks in addition to those already permitted; that along the rear lot line and along the lot line to the east there shall be erected a masonry wall not less than 5 feet, 6 inches in height, faced on both sides with face brick and properly coped; that such wall shall terminate toward the south with a masonry post; that along the lot line from the rear to the street there shall be a woven wire fence of the chain link type erected on a masonry base to a similar height; with suitable terminating post; that the additional area shall be paved with asphalt or concrete paving; that planting shall be maintained along the lot line in front of the fence to the south, properly protected with concrete curbing not less than 8 inches in height and 6 inches in width; that such planting shall consist of shrubbery and other suitable material; that there may be two additional curb cuts, each not over 30 feet in width, to Fresh Meadow Lane; that sidewalks and curbing abutting the site for the extended area shall be constructed or repaired to the satisfaction of the Borough President; that curb cuts shall be not nearer than five feet to the southerly side lot line as prolonged; that the existing accessory building may be extended as proposed and indicated on such plans; that in all other respects the resolution above cited shall be complied with except that the fence or wall previously required to be erected between the existing gasoline station and this proposed extension may be removed; that working drawings incorporating the requirements of this resolution shall be submitted within three months for further consideration by the Board and no request for a permit shall be made to the Borough Superintendent until such working drawings have been approved; that after approval of such drawing, all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

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212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner, Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7b, 7c, 7i and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner. Block 5750, Lot 42, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on June 10, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the zoning Resolution show that the site, 65th Street and 66th Street are in business and residence use, C area, class 1 height districts; Fort Hamilton Parkway is in a business use, C area, class 1 height district; 16th Avenue is in a residence use, C area, class 1 height district; that there has been no change in zoning since 1916; and

WHEREAS, the decision of the Borough Superintendent, dated May 19, 1958 acting on N.B. Applic. No. 134-58, reads:

"1. On a lot located partly in a business use district and partly in a residence use district, the proposed display, sales, storage & installation of auto seat covers; parking of more than 5 motor vehicles for patrons only; and minor motor vehicle repairs (hand tools) limited to the installation and service for mufflers, is contrary to Art. II, Section 3 and Art. II Section 4(a) subdiv. 29 of the Zoning Resolution.

2. Business entrance within 75' of residence zone is contrary to Art. II, Sec. 7A of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 81 feet 4 inches frontage by 126.6 feet and 141 feet 2 inches in depth; that the premises has been occupied as a used car lot, by consecutive temporary grants of the Board, from September 15, 1936 to May 12, 1945; that on November 26, 1945 the Board granted a five year temporary use for office, sale and display of used cars and parking and storage of more than five motor vehicles, for which Certificate of Occupancy No. 113893 was issued; that subsequently these uses were permitted under Alt. Applic. No. 718-51 for which a permanent Certificate of Occupancy was issued; that it is proposed to extend the use to permit minor vehicle repairs with hand tools, the type of repair being limited exclusively to muffler and tail pipe replacement and service, and under Sections 7b and 7h for a temporary variation to permit patron parking for more than five motor vehicles; that it is also proposed to fire retard the area in the building which is devoted to the muffler service; that for patron parking, it is proposed to grade the plot to curb level surface with steam cinders with a suitable binder and properly rolled, provide two sliding chain

link gates, erect a five foot six inch high chain link fence along all property lines where no walls or openings occur, and provide substantial bumpers; and

WHEREAS, the applicant states that plans have been approved for a building for use as display storage and installation of auto seat covers and for the parking of more than five motor vehicles on that portion of the plot which lies within the business use district; and

WHEREAS, the applicant further states that the muffler replacement services will be done within the business use district, inside of the building and restricted to the specific area set aside for such work; that only a maximum of two cars can be serviced at any one time in the 740 square feet, which area is less than 7 percent of the plot; that this muffler replacement service will not be a motor vehicle repair shop as is commonly understood; that there will be no automotive—moving parts repairs, no ignition and body or fender work; that it would not be a nuisance as there will be no smoke, odor, fumes or noise; and

WHEREAS, the applicant further states that parking will be restricted to patrons and customers and no fees will be charged, and will be used only during regular business hours; that no cars will be parked on Sundays; that only a maximum of ten cars can be parked on the residence portion of the lot; that the additional ten car parking space, so urgently needed, would enable the patrons to park on the premises; that by providing this off street parking it would definitely eliminate any additional traffic congestion; that gates will be kept closed when premises is not in use; and

WHEREAS, the applicant contends that the premises is located on the southeast corner, and there is a gas station on each of the other three corners; that the adjoining building on the south is a factory; on the west there is the 100 foot wide Fort Hamilton Parkway; on the north there is the 100 foot wide 65th Street; to the east on 65th Street the same owner owns the adjoining 80 feet front plot; that within the affected area, over 60 percent of the frontage is allotted to non-conforming, automotive and unrestricted uses; that the sole lessee and operator of the entire premises is a responsible company, the Rayco Company, who will maintain the premises, conduct the muffler service, the auto seat cover service and the accessory patron parking; that the request in this application is absolutely vital to the proper conduct of the business; that the granting of this application for the muffler replacement service and for patron parking for more than five motor vehicles would enable the owner to make a reasonable and just use of his property without affecting anyone adversely and The City of New York would stand to benefit by an annual increase of about \$1,200 in taxes; that the proposed building would result in a definite improvement in the general appearance of the premises; and

WHEREAS, the applicant states that the present owner has held title to the property since October 15, 1950 and that the assessed valuation of land is \$12,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c, h and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c to permit the extension of the premises into the more restricted district as proposed and indicated on plans filed with this application marked, "Received May 21, 1958," 6 sheets, to permit the change of use as proposed for sale of used cars, storage and to include minor motor vehicle repairing with hand tools only and parking and construction of a building as shown on such plans and use as manufacturing and installing seat covers, mufflers and tail pipes, and for parking of cars by patrons and employees on the portion of the premises on condition that the building and use now on the premises shall be removed and the premises shall be arranged as

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indicated on such plans; that the building shall comply with the requirements of the Building Code; that all un-built upon portions of the premises shall be paved with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence on a masonry wall not less than 5 feet, 6 inches in height with no openings therein except one to Fort Hamilton Parkway 30 feet in width and one to 65th Street, where shown, not over 20 feet in width; that such fence at such openings shall have suitable terminating posts; that the sidewalk and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i there may be minor repairs for adjustments maintained solely within the accessory building; that there may be under Section 7h for a term of ten years parking of cars as herein before permitted; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a Certificate of Occupancy obtained.

121-49-BZ—Vol. II

APPLICANT—Herman Furrer, owner.

SUBJECT—Application reopened February 7, 1956 as Vol. II—decision of the Borough Superintendent, under section 7c and 7i of the Zoning Resolution, to permit in a retail use district, the erection of a one-story masonry extension and a frame extension to an existing gasoline service station and extend the use to include motor vehicle repair shop amending plans approved with Cal. No. 121-49-BZ—Vol. I and parking and storage of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—96-16 Metropolitan Avenue and 87-47 69th Avenue, southwest corner, Block 3886, Lot 845, Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Herman Furrer.

For Opposition: None.

ACTION OF BOARD—Application withdrawn at the request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

121-49-BZ—Vol. I

APPLICANT—Herman Furrer, owner.

SUBJECT—Application for consideration—reopening as to amendment in reduction in size of building—re application decision of the Borough Superintendent previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a business use district, the extension in area of accessory building on existing gasoline service station, to be used as an office, lubritorium, auto laundry, showroom, storeroom, motor vehicle repair shop and storage of more than five motor vehicles waiting to be serviced (no fee).

PREMISES AFFECTED—96-16 to 96-24 Metropolitan Avenue and 87-47 to 87-53 69th Avenue, southwest corner, Block 3886, Lot 845, Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Herman Furrer.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 7, 1949 on certain conditions; and

WHEREAS, time to obtain permits and complete the work

was extended from time to time and last extended on July 14, 1953; and

WHEREAS, this application was amended to reduce the size of the building on July 20, 1954; and

WHEREAS, this application was reopened as Vol. II on February 7, 1956 subject to regular procedure, to consider extension of area; and

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; and

WHEREAS, this application was laid over from June 10, 1958, date to be set for new hearing; applicant to file plans, description and a new statement; notices for new hearing to be served and reset for July 29, 1958; and

WHEREAS, on July 29, 1958 the applicant requested permission to withdraw Vol. II and have Vol. I reopened and the Resolution adopted June 7, 1949 and thereafter amended on July 20, 1954, be amended again to permit the extension in area of the accessory building, with less than the required rear yard as existing; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 7, 1949 by adding thereto:

"that the extension of the repairing and accessory building may be as indicated on revised plans marked "Received July 14, 1958," two sheets, on condition that in all other respects the requirements of the resolution adopted June 7, 1949 shall be complied with where not inconsistent with this amended resolution; and that all permits shall be obtained and all work completed and a certificate of occupancy obtained within six months from the date of this amended resolution."

96-53-BZ—Vol. III

APPLICANT—Burke, Green and Groh, for Alex Eisenberg, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of an incinerator and chimney to be used in conjunction with the existing milk processing plant for wholesale and retail distribution of milk and cream which was previously granted by the Board.

PREMISES AFFECTED—392-414 Stanley Avenue, southwest corner of Malta Street, Block 4364, Lots 1, 3, 6, 28 and 36, Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: Harry Klein.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on April 29, 1958 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; and laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Louisiana Avenue and Wortman Avenue are in business and residence use, D area, class 3/4 height districts; Malta Street and Stanley Avenue are in a business use, D area, class 3/4 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 12, 1958 acting on N.B. Applic. No. 2180-57, reads:

"1. Proposed incinerator in connection with a milk processing plant, for wholesale and retail distribution

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of milk and cream located within a residential use district, is contrary to Art. II Sec. 3 of the Zoning Resolution.

Note: These premises were the subject of a variance by the Board of Standards and Appeals under Cal. 96-53-BZ, Vol. II (N.B. 787/55). Proposed work conflicts with work shown on said variance."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 550 feet in depth; that it is proposed to erect an incinerator and chimney in the yard adjoining the present building; that the incinerator is covered by a metal canopy which now extends over this area, and the proposed chimney will extend through this canopy; that the incinerator itself is only four feet wide, seven feet deep and five feet six inches high; that the entire installation will comply with all other applicable rules and regulations of the Building Code, etc.; and

WHEREAS, the applicant states that the site comprises an entire square block and this incinerator will be installed well away from all property lines; that copy of a Health Department Report, submitted with this application, states that the private garbage removal agent employed by the owner of the property has not been able to supply adequate service inasmuch as they have room only for the garbage and not the paper rubbish; that the owner is forbidden by law to burn rubbish in a pile; that the Department of Health inspector advises that a plant incinerator be constructed as soon as possible to dispose of the cardboard and paper; that therefore, due to the public emergency and the health hazards that exist because of the present situation, it is requested that the Board grant this variance as soon as possible; and

WHEREAS, the applicant states that the present owner has held title to the property since 1943, 1947 and 1951; that the assessed valuation of land is \$60,000 and of the building \$170,000 making a total of \$230,000; that the buildings are under construction; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution because of the health hazard and with conditions improved.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c, to permit the construction and use of the incinerator as proposed and located where shown for the burning of used milk cartons and similar material; that the incinerator shall be of an approved type and shall be maintained in accordance with the requirements of the Department of Health and the Bureau of Smoke Control; and that in all other respects all laws, rules and regulations shall be complied with including the resolution as adopted by the Board under Cal. No. 96-53-BZ, Vols. I and II, where not inconsistent with this resolution; that all permits shall be obtained and all work completed within six months from the date of this action.

889-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ledbill Realty Corp., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—69-13 to 69-25 (69-15 official) 164th Street, east side, 110 feet (120.02 feet) south of 69th Avenue, Block 6931, Lots 38 and 41, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 29, 1958 after due notice by publication in the Bulletin; and then set for hearing on July 22, 1958, laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Jewel Avenue are in a residence use, D area, class 1 height district; 164th Street and 165th Street are in local retail and residence use, D and E-1 area, class 1 height districts; 69th Avenue is in a local retail use, D area, class 1 height district; that as of July 25, 1916 the premises were in a business use district and received the present use designation on September 18, 1947; and

WHEREAS, the decision of the Borough Superintendent, dated March 25, 1958 acting on amendment to N.B. Applic. No. 3908-55, reads:

"1. The proposed demolition of an existing store and storage of building materials and the proposed erection of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage rooms, parking and storage of motor vehicles and proposed erection of business signs and ground signs in a plot located within a Residence use district is contrary to Art. II Sect. 3 of the Zoning Resolution and contrary to B.S.A. resolutions Cal. #889-55-BZ and Cal. #489-48-BZ and is hereby referred back to the Board for reconsideration."

and

WHEREAS, the applicant states that the premises consist of a plot, 140 feet frontage by 95 feet in depth, presently developed as follows: Lot 41, 80 feet by 95 feet—vacant; Lot 38, 60 feet by 95 feet is presently developed with a one story building of class 3 construction, with a frontage of 19 feet 3 inches, a depth of 48 feet 2 inches and is now being used for newspaper pick-up; that it is proposed to obtain a variance for a temporary period of fifteen years in order to extend the gasoline service station granted by the Board under Cal. No. 889-55-BZ—lot No. 41—with a frontage of 80 feet on 164th Street to include the adjoining 60 feet—lot No. 39—making a new total frontage of 140 feet on 164th Street by 95 feet in depth; that the new size gas station will consist of ten 550 gallon gasoline tanks and six dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction having a frontage of 60 feet and a depth of 30 feet and will contain the conjunctive uses of lubritorium, minor auto repairs, car washing, office and sales and storage room; that a part of the open area not being used by the gas station is proposed for parking and storage of motor vehicles; and

WHEREAS, the applicant states that the building was erected under N.B. Applic. No. 10537-46 and Cal. No. 489-48-BZ, Vol. I, and Certificate of Occupancy No. Q-59400 was issued on November 3, 1949 for use as store and storage of builders materials; that records indicate that under Cal. No. 489-48-BZ, Vol. II an application was denied to change the uses granted under Vol. I to commercial building—stores; and

WHEREAS, the applicant contends that lot No. 38, which is proposed for the extension of the gas station granted on lot No. 41, is now occupied with a non-conforming use; that the removal of this non-conforming use and the substitution of another non-conforming use cannot possibly have an adverse effect upon adjoining property owners; that lots 36 and 35 to the south of the site are non-conforming uses

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of store and office in a residence use district; that the enlargement of this gas station to 140 feet frontage will provide a better service to the people of this community as there are no other gas stations within the affected area; that the 15 foot planted area proposed along the easterly lot line will act as a buffer to adjoining properties; and

WHEREAS, the applicant states that the present owner of the property has held title since February 28, 1950 and March 1, 1958; that the assessed valuation of land is \$5,600 and of the building \$3,100 making a total of \$8,700; that the building was erected in 1946; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board which recommended that the application should be granted to permit the extension of the gasoline service station previously granted under Vol. I of this calendar number, which has not yet been built.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 3, 1957, by adding thereto:

"that in the event the owner desires to enlarge the premises by the acquisition of the adjoining lot to the south, No. 38, such extension of area may be permitted, *on condition* that all buildings and uses not to be retained shall be removed and the premises including Lot 41 previously permitted shall be constructed as proposed and indicated on plans filed with this application, marked "Received March 26, 1958", 5 sheets; that the requirements of the resolution above cited as adopted by the Board on December 3, 1957, shall apply also to the additional premises and the requirements as to location and other conditions shall apply as now proposed; and that all permits required shall be obtained and all work completed for the entire premises within the requirements of Section 22A of the Zoning Resolution."

792-56-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Robert E. Weiss, Gerald R. and Josephine Guerraro, owners.

SUBJECT—Application reopened March 18, 1958—decision of the Borough Superintendent under section 7f of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sale of accessories, minor repairs with hand tools and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1565-1569 Silver Street and 1501-1505 Williamsbridge Road, northwest corner. Block 4079, Lots 35, 36 and 37, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred Dahlem.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, this application was withdrawn on October 8, 1957 after full public hearing and restored to the calendar, March 18, 1958 for re-hearing; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed.

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Williamsbridge Road are in a business use, C area, class 1½ height district; Silver street and Eastchester Road are in residence and business use, C area, class 1½ height districts; and

WHEREAS, the decision of the Borough Superintendent, dated October 29, 1956 acting on N. B. Applic. 1870-56, reads:

"1. In a business use district the proposed 'Gas

service station, sale of accessories, car wash, lubritorium, parking and storage of more than 5 motor vehicles, repair shop with hand tools, brake and ignition service' is contrary to Sect. 4 subd. 46 of the Zon. Res.

2. Curb cut and show window within 75' from residence district are contrary to Sect. 7-A of the Zon. Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 78.10 feet frontage by 91.63 feet in depth, presently occupied by two metal garages and two frame structures; that it is proposed to completely demolish and remove the metal garages and the two frame buildings from the site and to erect a new class 3 modern gasoline station with a service bay, lubritorium, car wash, sale of accessories and parking of more than five motor vehicles awaiting service and minor repairs with hand tools; and

WHEREAS, the applicant states that the City of New York is going to widen Williamsbridge road by taking 20.3 feet of depth on the Williamsbridge front and 4 feet from Silver street, leaving the plot 91.63 feet front on Williamsbridge Road and 78.10 feet front on Silver Street; that Williamsbridge Road will become a very heavily traversed road and can well accommodate a gas station at this site; and

WHEREAS, the applicant contends that there is a great lack of space for parking in this area especially due to the large number of persons using the traffic court; that the new station will be an improvement to the vicinity; that due to the fact that the property is being diminished in size, the plot is too small for an apartment house site or even stores as there are adequate stores around Westchester Square; and

WHEREAS, the applicant states that the owner has held title to the property since February 1, 1950 and October 1, 1950; that the assessed valuation of land is \$13,000 and of the buildings \$7,900 making a total of \$20,900; and

WHEREAS, the premises and surrounding area were inspected again by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions f, e, c and A of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N. B. App. 1870/56, Objection No. 1 and 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

850-56-BZ

APPLICANT—Maurice G. Usan, for Jewish Community Center, owner.

SUBJECT—Application December 7, 1956—decision of the Borough Superintendent under sections 7a and 21 of the Zoning Resolution, to permit in an E area district, the construction of a two story and part three story addition to an existing community center occupying more than the permitted area having less than the required setback, side yard and rear yard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Richmond.

APPEARANCES—

For Applicant: Maurice G. Usan.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date of decision

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to be determined; hearing closed; then set for July 29, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, E area, class 1 height district; that the zoning was changed from business to residential in 1942, C area, and again in 1947 to E area; and

WHEREAS, the decision of the Borough Superintendent, dated March 12, 1958 acting on Alt. Applic. No. 211-56, reads:

"2. Repeated. Side yard inadequate, rear yard inadequate and setback inadequate, contrary to Art. IV Sect. 15 subdiv. (a), (b) and (d) Zone Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 180 feet frontage by 141 feet in depth; that it is proposed to construct a new addition that will consist of two stories at the front and three stories at the rear, 65 feet by 85 feet, for auditorium, club rooms, meeting rooms, kitchen and offices; that a canopy will be provided for shelter to entrance at front of new addition to line up with face of existing building; that the front wall of the new extension on the north side of present building will be located six feet back of the adopted widening line and five feet from the side line; that the new addition will be erected on the north side of the existing building and will cover 39.5% of the remaining unused area of the existing premises; and

WHEREAS, the applicant states that the Jewish Community Center which was erected in 1928 has served the Staten Island area by providing recreational, physical and cultural activities to a fast growing community; that the building was planned originally for a four story structure, but due to then prevalent construction costs and budget limitations, only the present two story building was erected in 1928; that it now finds itself in a position where it cannot properly provide the facilities required by a membership that has more than doubled over a period of thirty years; that in order to provide sufficient space and a practical layout for much needed units, it will be necessary to utilize the remaining lot area to the most advantageous location of the new addition; and

WHEREAS, the applicant contends that in order to provide for the necessary spaces required for the new required facilities in the new addition, it is necessary to bring the building back on the same line as present rear wall of existing building, which is 9.74 feet away from the rear lot line where the new extension begins, and 15.21 feet away from the rear lot line on the north side of the new building extension, and 5 feet from the north side line; that as the north side of the new extension could be built on the property line and ventilation provided at the front and rear of the building by increasing the height of the windows, and since only a limited number of windows are to be installed on that side of the building, it has been necessary to limit the width of the side yard to five feet, which is slightly less than the required width of a necessary side yard; that since the land slopes from the front up towards the rear and the rear wall of the new addition will not be more than 35 feet above the average grade of the rear property line, and as a ten story building could be lawfully erected on the same lot, creating a much less favorable condition to the contiguous property, exception is requested for minimum rear yard requirements under Paragraph 15-a; and

WHEREAS, the applicant states that the present owner has held title to the property since March 10, 1927 and April 5, 1950; that the assessed valuation of land is \$15,000 and of the building \$60,000 making a total of \$75,000; that the building was erected in 1929; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant

under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the proposed areas of the courts of the present building and of the proposed extensions as indicated on plans filed with this application marked "Received December 7, 1956", one sheet, and "March 14, 1958", 5 sheets, *on condition* that in all other respects the buildings and occupancies shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area beyond what is now proposed; that the present use of the premises shall be continued; that until the proposed widening of Victory Boulevard the existing portion of the buildings and the front yards may be continued where within such area as mapped; that in the event the premises are acquired by the City for street widening the requirements of the resolution adopted this day under Cal. No. 314-58-A shall be complied with; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

314-58-A

APPLICANT—Maurice G. Usan, for Jewish Community Center, owner.

SUBJECT—Application May 12, 1958—filed pursuant to section 35, General City Law—re alteration of existing building partially in bed of a mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—475 Victory Boulevard, west side, 220 feet south of Woodstock Avenue, Block 120, Lots 109 and 112, Silver Lake, Borough of Queens.

APPEARANCES—

For Applicant: Maurice G. Usan.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 8, 1958 on Alt. Applic. 211/56 reads:

"(7) Alteration to existing building partly in the bed of mapped street is contrary to Art. 3, Sect. 35 of the General City Law and must be referred to the Board of Standards and Appeals for a permit."

and

WHEREAS, the applicant states that the existing building is 1 story and basement, 22 feet in height, 80 feet 8 inches front by 114.5 feet in depth, of class 2 construction, erected 1929, located on a lot 180 feet front by 141 feet in depth, in a residence use, E area, class 1 height district, and used and occupied since 1929: Cellar—lounge and club room, 50 persons; basement—gymnasium, lockers, swimming pool, 200 persons; 1st floor—balcony, office and lounge, 40 persons; that it is proposed to be increased in height and area to 3 stories, 35 feet, 145 feet 4 inches front by 114.5 and 86 feet in depth, of class 2 construction, and used and occupied as follows: cellar—health club, 40 persons; basement—gymnasium, swimming pool, youth lounge and club, 280 persons; 1st floor—auditorium, balcony, office and meeting rooms, 400 persons; 2nd floor—club rooms and meeting rooms, 163 persons; that the building is provided with three interior 4 foot wide steel stairs enclosed in fireproof partitions, equipped with kalamein wire glass self-closing doors; that stairhall leads direct to street and to roof bulkhead; and

WHEREAS, the applicant states that the front part of the existing building is located in the bed of the mapped street; that since Victory Boulevard was mapped to be widened to 100 feet and the widening line is 32.49 feet back of the existing building line on the south side of the premises

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and 34.02 feet back on the north side of the lot, it will cut back the front part of the existing building approximately 12 feet from the front of the main wall, if the street is widened; and

WHEREAS, the applicant states that plans for alteration to the existing building provides for removal and installation of partitions, halls, etc., on the 1st floor and basement, forming new openings between the old building and the new extension, equipped with fireproof doors and the installation of a canopy to serve the entrance of the new building addition, so constructed that it may be partially removed to line up with the adopted street line when Victory Boulevard is widened; and

WHEREAS, the applicant contends that the work proposed is essential for the proper facilities of the building; that a variance is requested since 90 percent of the alteration work is located behind the adopted widening line; and

WHEREAS, the Board has been advised by the President of the Borough of Richmond, that there is an adopted widening line of 35 feet, plus or minus, on the west side of Victory Boulevard in the vicinity of the above mentioned property; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 211-56, Objection No. 7 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the premises so included in the proposed widening of the street under the conditions as stated in the resolution adopted this day under Cal. No. 850-56-BZ *on condition* that in the event any portion of the premises is acquired by the City for street widening of Victory Boulevard the compensation therefor shall be as determined by the court; that the portions of the buildings and yards to be removed shall then be removed and the buildings repaired as necessary.

894-56-BZ

APPLICANT—Charles L. Koester, for Mary Yarocki, owner.

SUBJECT—Application December 31, 1956—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, a hair-dressing establishment in the basement of a 1½ story, one-family dwelling.

PREMISES AFFECTED—239-02 Hillside Avenue, south-east corner of 239th Street, Block 7958, Lot 28, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3

Negative: Commissioner Kleinert and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 3, 1958 after due notice by publication in the Bulletin; and taken off calendar; referred to Examiner for new date of hearing. Set for hearing on July 15, 1958, then laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hillside Avenue, 239th Street, 241st Street and 86th Avenue is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 31, 1956 acting on amended N.B. Applic. No. 2358-54, reads:

"1. Use of the premises as a business in a Residence

Use District is contrary to Art. II Sec. 3 Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 36.33 feet frontage by 79.75 feet in depth; and

WHEREAS, the applicant contends that when the owner spoke to a builder who was building this type of house all through this locality, he told her that he was going to build some houses at the above location and that these four houses would be in a local retail district, which was before August 26, 1954; that in the meantime this builder, after taking title to the premises, decided to build frame houses and made application to have zoning changed from local retail to residence D-1; that when the houses were completed, the owner bought one at 239-02 Hillside Avenue and proceeded to install one basin in the cellar, which stopped the issuance of a Certificate of Occupancy; that the owner depended on her small side line of hair dressing for just a few neighbors and friends, as she employs no one to help her; that she also wishes to install a small sign two feet long on her lawn, and will not display any other signs in windows or anywhere else; that she was under the impression she could do this when she bought the house and now requests a variance in this matter; and

WHEREAS, the applicant states that the present owner has held title to the premises since August, 1955; that the assessed valuation of land is \$2,000 and of the building \$8,000 making a total of \$10,000; that the building was erected in February, 1955; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of one year to permit the continuance of the hair-dressing establishment as proposed and as indicated on plans filed with this application marked, "Received December 31, 1956," 4 sheets, *on condition* that the proposed use shall be limited to the space in the house as proposed and shown on such plans, that there shall be no signs on the premises except there may be one sign not over one square foot placed within the window of the space to be occupied for hair-dressing; and that in all other respects all laws, rules and regulations applicable thereto shall be complied with.

152-57-BZ

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution to permit in a residence use district, the maintenance of a parking lot.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Philip Freshman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on April 29, 1958 after due notice by publication in the Bulletin; laid over and referred to Engineer for new date of hearing; notices to owners in the area insufficient as to time of notice; set for hearing on July 15, 1958, then laid over to July 29, 1958, for inspection and decision; hearing closed; and

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WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Beach 59th Street, Rockaway Freeway, Arverne Boulevard and Beach 57th Street are in a residence use, D area, class 1 height district; that the use was changed to residence on December 28, 1939; former use unrestricted to 1916; and

WHEREAS, the decision of the Borough Superintendent, dated January 11, 1957 acting on Alt. Applic. No. 1464-56, reads:

"1. A parking lot in a residence use district is contrary to the Zoning Resolution. Article II Section 3." and

WHEREAS, the applicant states that the premises consist of a plot, 89.92 feet frontage by 100.24 feet in depth, presently unimproved; that it is proposed to seek a variation to permit the parking of cars, for which a nominal fee will be charged, for a period of five years; and

WHEREAS, the applicant contends that the time is not opportune to warrant any type of construction, let alone residential building; that the property at this time constitutes an eyesore and a dumping ground for refuse; that the proposed parking lot will afford much needed facilities for parking in this area and at the same time give financial relief to the owners in carrying this property; that the proposed parking lot use cannot in any way depress or affect adjacent or surrounding properties; and

WHEREAS, the applicant states that the present owners have held title to the property since March 1948 and that the assessed valuation of land is \$2,200; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for the parking and storage of motor vehicles limited to the pleasure car type only substantially as proposed and indicated on plans filed with this application marked, "Received March 21, 1958," 2 sheets, *on condition* that all building and uses shall be removed from the premises; that the premises shall be graded substantially to the grade of the abutting streets and shall be surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on the lot lines, a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet 6 inches with no openings therein, except one to Beach 59th Street, which shall be fitted with gates; that a curb cut opposite such opening shall not exceed 14 feet in width; that during the term of this variance the premises shall be occupied for no other uses and no building shall be erected thereon; that signs shall be restricted to one sign attached to the fence, advertising the parking use, the rates charged and such other information as may be required by the Commissioner of License; that the space within the proposed widening of Beach 59th Street may be used as conditionally permitted by resolution adopted this day under Cal. No. 153-57-A; that suitable bumpers shall be placed against the fence not nearer than 5 feet to the fence; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the sidewalk abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; and that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within 6 months from the date of this resolution.

153-57-A

APPLICANT—Philip Freshman, for Lillian Klemas and Sadie V. Brennan, owners.

SUBJECT—Application February 8, 1957—filed pursuant to section 35, General City Law re premises located in bed of mapped street—Beach 59th Street.

PREMISES AFFECTED—214 Beach 59th Street, east side, 48.96 feet south of Arverne Boulevard, Block 380, Lot 40, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Philip Freshman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5
..... 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated January 11, 1957 on Alt. Applic. 1464/56 reads:

"2. Secure approval of Board of Standards & Appeals as per Article #3, Section #35 of the General City Law as part of premises is located within bed of mapped street."

and

WHEREAS, the applicant states the premises consists of a lot 89.92 feet front by 100.24 feet in depth, located in a residence use, D area, class 1 height district, now vacant, proposed to be used for parking of more than 5 motor vehicles; and

WHEREAS, the applicant contends that as portion of the plot has been mapped by the City as a proposed street but has not been acquired by the City, it is requested that the portion of the lot now owned by this owner located within the bed of a mapped street widening be permitted to be used for parking purposes; and

WHEREAS, the applicant contends that the only access to the property is through Beach 59th Street; that the portion adjacent to the railroad right of way cannot be breached for any accessibility to the roadway under the elevated structure; and

WHEREAS, the Board has been advised by the President of the Borough of Queens, that Beach 59th Street as indicated at a width of 50 feet on the Final Map adopted by the Board of Estimate and Apportionment on May 11, 1923; that title to this street has not yet been acquired and there is no proceeding now pending to acquire title thereto; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent acting on Alt. Applic 1464/56, Objection No. 2 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the portion of the premises along Beach 59th Street where the street is proposed to be widened for use in connection with the parking area as permitted by resolution adopted this day under Cal. No. 152-57-BZ; that in the event the premises are taken by the City for such street widening, the recompense therefore shall be as determined by the court.

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application May 13, 1957—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a "G" area district, the continuance of the existing swimming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard Feldman.

For Opposition: Benjamin Zucker.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-

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ing, Commissioner Kleinert, Commissioner Foley and
Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Fieldstone Road, West 245th Street, West 246th Street and Livingston Avenue are in a residence use, G area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 10, 1957 acting on N.B. Applic. No. 1997-57, reads:

"1. In a "G" area district, any building erected nearer than ten feet to any lot line is contrary to Art. IV Sect. 16-B of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 241 feet frontage by 150 feet to 175 feet in depth, irregular; and

WHEREAS, the applicant states that in 1956, and by sheer inadvertence, the owner of the property constructed a private swimming pool and cabana (bath house) to be used in connection with such swimming pool; that adjacent to the swimming pool is a lavatory; that the lavatory, the cabana and the swimming pool are of excellent construction, properly foundationed and of high esthetic value, which can readily be seen by the photographs submitted with this application; that the construction of the swimming pool would in all respects qualify for a Certificate of Occupancy were it not for the fact that through the builder's error and the owner's ignorance, the cabana and the lavatory were erected on the property line rather than ten feet removed therefrom; and

WHEREAS, the applicant further states that the use to which the structures are to be put cannot possibly be offensive to anyone; that as a matter of fact, in an area such as this, the construction of a swimming pool enhances adjacent property values, for it clearly shows the extent of investment to which a property owner is prepared to go in developing his property; that of equal importance is the fact that the cost to the owner has been very substantial and although the construction itself is in technical violation of the zoning regulation, such violation occurred through sheer inadvertence; that actually, to force this owner to destroy the structure would be to cause him a loss in excess of \$7,000; and

WHEREAS, the applicant contends that although there are three violations on the property, these violations come about by reason of the fact that the owner of the property cannot obtain a Certificate of Occupancy because of his violation of the zoning regulation; that none of the violations relate to improper construction or improper adherence to sanitary standards, or any of the provisions of the Building Code; that as a result, the owner has fully complied with the Building Code but cannot get a Certificate of Occupancy because of the zoning violation; that the use to which the owner has put his property is not obnoxious and actually enhances surrounding property values; and

WHEREAS, the applicant states that the present owner has held title to the property since June 6, 1950; that the assessed valuation of land is \$21,000 and of the building \$39,000 making a total of \$60,000; that the building was erected in 1956; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the

application be and it hereby is granted under Section 21 on condition that the wall extending from the cabana building northeasterly shall be removed and a fence, similar to the adjoining fence shall be constructed and carried to the building; that the continuance of the cabana building may be permitted provided there are no openings constructed in the wall of such building opening upon adjoining lots No. 201 and 260; that the toilet room building shall be completely removed and not reconstructed except in a place where it would be approved under the requirements of the zoning district; that in all other respects the swimming pool and all other items shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within six months from the date of this resolution.

930-57-BZ

APPLICANT—Albert Melniker, for Frank De Stasio; owner; Salvatore DiLorenzo, purchaser under Contract.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, sales room and office, motor vehicle repairs with hand tools only, parking of more than five motor vehicles and sale of cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker and Salvatore DiLorenzo.

For Opposition: Theodore J. Malvin and Francis O. Mayer.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hylan Boulevard, Tysens Lane, Reno Avenue and Thomas Place are in a residence use, E area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 17, 1957 acting on N. B. Applic. No. 625-57, reads:

"1. The proposed building for use of gasoline service station, lubritorium, car washing, sales room and office, motor vehicle repairs with hand tools, parking of more than five motor vehicles and sale of cars, located in a residence use district is contrary to Article II, Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 113.83 feet frontage by 103.93 feet in depth; that is is proposed to erect a building to be used as gasoline service station, lubritorium, car washing, sales room and office, motor vehicle repairs with hand tools and parking of more than five motor vehicles; and

WHEREAS, the applicant states that the site in question is the northwest corner of Hylan Boulevard and Tysens Lane; that this corner is located on Hylan Boulevard between New Dorp Lane (New Dorp and Guyon Avenue, Oakwood) and is in an area that is developing very rapidly with both commercial and residential buildings; that Hylan Boulevard is the major north-south highway on Staten Island and the connecting road between St. George and Tottenville; that the need for this station in this area is

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three-fold because of the transient traffic on Hylan Boulevard which is a six lane highway, because of the commercial and retail needs of the vicinity and because of the residential needs of the residential neighborhoods described below; that to the north and east of this property, the area bounded by Hylan Boulevard, Tysens Lane, Mill Road and New Dorp Lane will be developed as a fifty acre shopping center; that at the present time the Safeway stores are erecting a new building in this area, and the Pontiac automobile sales and service, Tavern on the Green and the Food Farm establishments have developed a retail and business trend in this general area; that diagonally across the street, to the southeast of the property in question, is located the Carolina Gardens with 176 apartments and between Primrose Place and Mill Road, south of Tysens Lane, some 70 one family dwellings are now under erection; that to the west of Hylan Boulevard, in the general area of the proposed station, there have been erected a number of one family dwellings, and with the recent approval of the Tysens Lane sewer, it is anticipated that the present vacant property will soon develop into a complete residential community; that on the west side of Hylan Boulevard, north of this property, is located the Arthur Dreyer Lumber yard, Bacci's Haven restaurant and New York City Water Pumping Station, the H-L Motors used car lot and the H-L Motors Chevrolet-Oldsmobile agency; that all this indicates the great need for additional automobile facilities in an area where every dwelling has at least one car and in many cases, two; that in this section, it will be noted that the nearest gas station to the north is at the north-west corner of Hylan Boulevard and New Dorp Lane (Mobil) and to the south Hylan Boulevard and Nelson Avenue (Mobil); and

WHEREAS, the applicant contends that Mr. Salvatore DiLorenzo, who is under contract to purchase this property, has operated a gasoline service station for a number of years and is an experienced mechanic; that the proposed station has been designed in keeping with the character of a residential community; that it is colonial in design and will consist of a red colonial brick exterior with white painted clapboard gable ends and an attractive asphalt roof shingle; that the building will set back from the street and pumps and will harmonize with the general area development and yet be an efficient gasoline service station establishment; that inasmuch as this improvement will represent an expenditure of a sizeable sum, it is requested that the variance be for a term of fifteen years to provide for acceptable financing arrangements; and

WHEREAS, the applicant states that the present owner has held title to the property since June 4, 1954 and that the assessed valuation of land is \$5,900; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e and h of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N. B. App. No. 625-57, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

212-58-A

APPLICANT—Albert Melniker, for Frank Di Stasio, owner; Salvatore Di Lorenzo, owner under contract.

SUBJECT—Application April 9, 1958—filed pursuant to section 35, General City Law re premises and curb cuts in bed of mapped Street—proposed widening of Tysens Lane.

PREMISES AFFECTED—

2819 Hylan Boulevard and 535 Tysens Lane, northwest corner, Block 4256, Lot 34, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker and Salvatore Di Lorenzo.

ACTION OF BOARD—Appeal withdrawn at the request of the applicant in view of the action taken by the Board under Cal. No. 930-57-BZ.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

931-57-BZ

APPLICANT—Albert Melniker, for The California Oil Co., owner; Isle Fuel Oil Service Co., lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence and retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking of more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—535 Vanderbilt Avenue and 1047 Van Duzer Street, northeast corner, Block 650, Lot 28, Concord, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date of decision to be determined; hearing closed; now set for July 29, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Van Duzer Street and Vanderbilt Avenue are in residence and retail use, D area, class 1 height districts; Cornell Place is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 17, 1957 acting on N.B. Applic. No. 862-57, reads:

"1. The proposed construction of a gasoline service station, lubritorium, car washing, minor motor vehicle repair with hand tools, sale of motor vehicles, located in a residence and retail use district is contrary to Art. II Sects. 3 & 4 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 112.83 feet frontage by 122 feet in depth, upon which is located a two story frame building consisting of a store and four apartments, together with a four car masonry garage; that lot No. 28, which has been designated by the Tax Department as a tentative number for the property in question, has been cut out of lot No. 26, leaving a 40 foot by 100 foot strip of vacant property facing Vanderbilt Avenue as a separate tax lot; that it is proposed to demolish the concrete block garages and to move the two story frame building consisting of a store and four apartments on the vacant 40 foot lot, tax lot No. 26, and erect a building of masonry, glass and metal construction; that it would be attractive from all approaches and would create an inviting architectural development; that the relationship of pump islands to the building, the property lines and the curb cuts is planned to provide an integration of this entire triangular site; that the adjoining properties would receive more than adequate protection by the erection of retaining walls, chain link fences and grading, in order to meet and protect adjoining conditions; and

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WHEREAS, the applicant states that the intersection of Vanderbilt Avenue, Van Duzer Street and Richmond Road has its traffic controlled by a three way traffic light, one at each side of the intersecting streets; that the elimination of the two story frame building at the intersection will be of invaluable help to this area by eliminating a block to traffic visibility; that the location of the proposed building, as described on drawings submitted with this application, indicates a study of this condition with the following points considered; that the proposed two bay service station has the entrances to the service bays only from Vanderbilt Avenue; that the location of pumps and pump islands are set way back from the point of intersection of Vanderbilt Avenue and Van Duzer Street; that the location of the curb cuts provide for visibility and comfortable accessibility from both streets; that the present mapping of this intersection does not indicate any widenings; that however, Van Duzer Street is a narrow street with a maximum width of 40 feet at this point, and if a variance is granted a voluntary widening, such as indicated on Drawing No. 3, would be offered the City by the owner, at no cost to the City; that furthermore, the necessary improvements of concrete curbs, concrete sidewalks and the paving of the widened portion would be done by the owner of the property; and

WHEREAS, the applicant further states that the proposed building and site development will materially improve the corner, which at the present time creates poor visibility for traffic conditions; that the buildings on the west side of Van Duzer Street at this point are located on a high embankment and the erection of a gas station with an approximate 14 foot height would not create any obstruction to the buildings on the west side of Van Duzer Street; that Richmond Road from the point of this intersection to Clove Road is a complete business community and consists of retail stores and shops on both sides of the street, except for certain open spaces; that in addition to a block of stores built on the east side of Richmond Road south of the property in question, there is within this area a bottling distributing plant, an automobile upholstery shop, an automobile agency and repair shop, a used car lot, an automobile showroom, a diner, two gas stations and the Sanitation Department garage, which had been the former Concord car barn; that from Clove Road, Richmond Road continues on as the connection to Amboy Road in New Dorp and Arthur Kill Road at Richmond Town; that Vanderbilt Avenue is the connecting street between the three way intersection at the property in question and Bay Street; that west of the property in question, there has, since the end of World War II, been a continual building up of a residential community on the uphill side approaching the boundaries of the Wagner College campus; that the retail development of Richmond Road, except as described above, and the triangle formed by Vanderbilt Avenue, Targee Street and Clove Road, has also been one of residential development, with this section of Richmond Road being the business and retail area for this community; and

WHEREAS, the applicant contends that the present mapping of the Clove Lakes Expressway and the Narrows Bridge approaches show the following: that the Sunoco station at the corner of Clove Road and Richmond Road will be eliminated; that the Tydol gas station on the corner of Richmond Road and Price Street will be eliminated, and the present Calso station at the corner of Clove Road and Targee Street will also be eliminated; that as such, the owner of the property in question will be losing one station at the corner of Clove Road and Targee Street; that the approval of this application would help offset the loss of the above described stations; that inasmuch as this improvement will require a financing period of not less than fifteen years, request is made that if this variance is granted, the term be fifteen years; that the improvement of this property as proposed would be an asset to the site, will fill a required need of automobile service and will be a general improvement for the community; and

WHEREAS, the applicant states that the present owner has held title to the property since October 24, 1956; that the

assessed valuation of land is \$6,500 and of the building \$5,500 making a total of \$12,000; that the building was erected prior to 1898; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and accessory uses substantially as proposed and as indicated on plans filed with this application marked "Received December 18, 1957", 5 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Vanderbilt Avenue and Van Duzer Street and shall be constructed and arranged as indicated on plans above cited; that the accessory building shall be of the location, design and arrangement as indicated and shall have no cellar and shall be faced on the exterior with face brick with porcelain enamel trim; that the doors to the toilet rooms shall be rearranged so as not to be contiguous; that the curb cuts shall be restricted to two curb cuts to Vanderbilt Avenue each 30 feet in width and two of similar width to Van Duzer Street, located where shown, with no portion of any curb cut nearer than five feet to a lot line as prolonged; that pumps shall be of a low approved type erected not nearer than fifteen feet to a street building line; that the number of gasoline storage tanks shall not exceed ten 550 gallon approved tanks; that where not occupied by accessory building and pumps the premises shall be paved with concrete or asphaltic pavement; that the premises shall be reduced as proposed at the intersection in cutting back at a radius of 15 feet, as shown, and construction of the sidewalk with the approval of the Borough President, similar to the widening of the street, and paved as may be required; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that on the interior lot lines fences shall be constructed as shown; that under Section 7h there may be parking of cars of the pleasure car type only so parked as not to interfere with the servicing of the station; that under Section 7i for a similar term, there may be minor repairing with hand tools only for adjustments maintained solely within the accessory building; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection at the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

935-57-BZ

APPLICANT—James E. Casale, for Dorlyn Realty Corp., owner.

SUBJECT—Application December 11, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of an existing six-story building from multiple dwelling to business offices.

PREMISES AFFECTED—57 Park Avenue, east side, 73 feet, 4 inches, north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alvin F. Gunther.

For Opposition: David R. Crow.

ACTION OF BOARD—Application denied.

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THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, in conjunction with Calendar Number 936-57-A, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Park Avenue, East 37th Street, East 38th Street and Lexington Avenue are in a residence use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 12, 1957 acting on Alt. Applic. No. 1517-56, reads:

"A1. The proposed change from a Multiple Dwelling use to an office building use (business) is contrary to Sec. 3 Art. II of the Zoning Resolutions as the above building is in a Residence Use District."

and
WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 80 feet in depth on which is located a class I, fireproof residence building, six stories or 78 feet in height, occupying an area of 25 feet by 68 feet on a lot 25 feet by 80 feet in area; that at the rear of the structure there is a six story extension 10 feet by 12 feet in area; that the premises is located in a residence use, B area, class 1½ height district and was erected in 1909 as a private residence and maintained as such until 1942; that under Alt. Applic. No. 1169-42 the building was converted to a heretofore converted class B multiple dwelling, and a new Certificate of Occupancy was issued for such use; that the present legal occupancy is as specified on copy of this Certificate, submitted with this application; that it is proposed to use the building for commercial occupancy with separate tenants on each floor occupying the rooms for office purposes; and

WHEREAS, the applicant states that at the present time the premises is occupied as offices, contrary to the Certificate of Occupancy; that a copy of Violation No. 74-57 is attached hereto; that a Court summons was issued as a result of this violation and subsequently was dismissed; that further action by the Department of Buildings is being held in abeyance pending a decision by this Board; that the plot in question is subject to a restrictive covenant inasmuch as the Murray Hill Association restricts the use of any plot in this area to residential purposes only; that the proposed use of the building is as follows: sub-cellar—storage and boiler room; cellar—employees' lounge and mail room, 10 persons; first floor—reception and offices, 5 persons; second floor—offices, 6 persons; third floor—office, 6 persons; fourth floor—offices, 8 persons; fifth floor—offices, 6 persons; sixth floor—offices, 5 persons; and

WHEREAS, the applicant further states that the building was purchased by the present owner in January 1956 and at that time was occupied as office use; that the above alteration application was filed in October 1956 proposing to change the residence use to office use; that shortly thereafter several foreign embassies became interested in the property and therefore the action to make appeal for a variance was temporarily suspended; that the building will be occupied as executive offices by individual concerns; and

WHEREAS, the applicant contends that to restore the premises to its present legal occupancy as a rooming house, or to remodel the entire building for class A apartments, is prohibitive at present costs and rent returns, and would create a hardship on the owners; that with negligible changes to the stair enclosure and the installation of new doors, the building may be occupied as offices in its present state; that the dignified residential characteristics of the exterior of the building will not be altered in any manner; and

WHEREAS, the applicant states that the present owner has

held title to the property since January 13, 1956; that the assessed valuation of land is \$85,000 and of the building \$25,000 making a total of \$110,000; that the building was erected in 1909; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application shall not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 1517-56, Objection No. A1 be and it hereby is affirmed and that the application be and it hereby is denied.

936-57-A

APPLICANT—James E. Casale, for Dorlyn Realty Corp, owner.

SUBJECT—Application December 11, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—57 Park Avenue, north side, 73 feet, 4 inches north of East 37th Street, Block 893, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: James E. Casale.

ACTION OF BOARD—Appeal withdrawn in view of the action taken by the Board under Cal. No. 935-57-BZ.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

942-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking for more than five (5) motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; hearing closed; date for decision to be set; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Richmond Avenue, Amboy Road, Putnam Avenue and White Street are in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 6, 1957 acting on N.B. Applic. No. 1236-57, reads:

"1. The proposed construction of a gasoline service station, lubricatorium, car washing, minor motor vehicle repairs with hand tools, sale of accessories and parking for more than five motor vehicles, located in a retail use district is contrary to Article II, Sec. 4-A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist

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of a plot, 110 feet frontage by 100.36 feet in depth; that it is proposed to construct a gasoline service station, lubricatorium, car washing, minor motor vehicle repairs with hand tools, sale of accessories and parking for more than five motor vehicles; that the proposed building location would be set back over 26 feet from the proposed widening line of Amboy Road and about 52 feet back of the widening line of Richmond Avenue, leaving the corner open for visibility and good appearance; that plans submitted show a single pump island with one curb cut on Amboy Road and two curb cuts on Richmond Avenue to permit automobile circulation in a manner as not to interfere with traffic at this corner; and

WHEREAS, the applicant states that the property, located at the northeast corner of Richmond Avenue and Amboy Road, is at the intersection of two main thoroughfares; that Richmond Avenue is the major cross Island highway connecting the Bayonne Bridge, Richmond Terrace, Forest Avenue, Victory Boulevard and Drumgoole Boulevard to Hylan Boulevard; that Amboy Road is a secondary northeast to south-west highway paralleling Hylan Boulevard for a good portion of its length; that directly to the north of this site is located the Eltingville Station of the Staten Island Rapid Transit, a business terminus for the everyday commuter; that the business section of Eltingville is in the immediate area of the site in question; that south of this site, to the east and west of Richmond Avenue from Amboy Road to Hylan Boulevard, there have been built in the post war years, approximately over 400 one-family dwellings; that the business area of Eltingville is a natural stopping point for the surrounding neighborhood and as such emphasizes the convenient location of this corner for a proposed gasoline service station; and

WHEREAS, the applicant contends that the owner is a well established and responsible Staten Island company in the oil business, and if this variance is granted they will build and maintain this gas station as the representative of the California Oil Company; that the property in question represents an area of 10,450 square feet; that the net property area after widening has been effected is 7,390 square feet; that the area of the proposed service station is 1200 square feet, leaving a net open area of approximately 6,190 square feet; that this means the building coverage is approximately 15 percent of the net property area after widening; that inasmuch as this improvement will represent an expenditure of a sizeable sum, it is requested that the variance be for a term of fifteen years to provide for acceptable financing arrangements; and

WHEREAS, the applicant states that the present owner has held title to the property since December 10, 1957 and that the assessed valuation of land is \$8,400; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years, to permit the premises to be occupied as proposed as a gasoline service station and lawful accessory uses, substantially as proposed and indicated on plans filed with this application, marked "Received December 20, 1957", 3 sheets, "April 4, 1958", 2 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be constructed substantially as indicated thereon; that the accessory building shall comply with the requirements of the Building Code, and shall have no cellar, and shall be located and arranged as indicated except that doors to toilet rooms shall be relocated so as not to be contiguous; that the building shall be faced on all sides with face brick; that pumps shall be located not nearer than 15 feet to the new street line of Richmond Avenue; that the number of gasoline storage tanks shall not exceed twelve ap-

proved 550 gallon tanks; that the portion of the premises to be acquired for street widening along Richmond Avenue and Amboy Road may be used for entrance and exit to the premises until such portion is acquired by the City for street widening, at which time the requirements of the resolution adopted by this Board this day under Cal. No. 204-58-A shall be complied with; that signs shall be restricted to permanent signs attached to the facade of the accessory building facing Richmond Road and the illuminated globes of the pumps, excluding all temporary signs, roof signs and advertising devices, but permitting the erection, within the new plot line at the intersection, of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting sign to project for a distance of not more than 4 feet beyond the building line; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i for a similar term there may be minor repairs with hand tools only for adjustment, maintained solely within the accessory building; and that under Section 7e there may be parking of motor vehicles for a similar term, provided such parking is maintained where it will not interfere with the servicing of the station; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

204-58-A

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application April 7, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Richmond Avenue.

PREMISES AFFECTED—3881 Richmond Avenue and 4515 Amboy Road, northeast corner, Block 5497, Lot 135, Eltingville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1958 on N.B. Applic. 1236/57 reads:

"2. The proposed curb cuts lying in the bed of a mapped street is contrary to General City Law 35 and therefore must be referred to the B.S.A."

and

WHEREAS, the applicant states that the premises consist of a lot 110 feet front by 100.36 feet in depth, now vacant, proposed to be used and occupied as a gasoline service station, lubricatorium, car washing, minor vehicle repairs and sale of accessories, parking of more than 5 motor vehicles; that it is proposed to erect thereon a 1 story, 14 feet high, class 3 constructed building, 40 feet by 30 feet in area for accessory uses; and

WHEREAS, the applicant contends that approval of this appeal should be granted in order to permit the installation of curb cuts, sidewalks and paving of portion of the property within the bed of a mapped street, in conjunction with the use requested under Calendar Number 942-57-BZ; and

WHEREAS, the Board has been advised by the President of the Borough of Richmond, that a proposed widening on the north side of Amboy Road, east of Richmond Avenue, between 15 and 20 feet and a proposed widening on the east side of Richmond Avenue north of Amboy Road of approximately 15 feet, as shown on the Topographical Records of his office; that at the present time the width of both Amboy Road and Richmond Avenue is about 40 feet; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent,

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acting on N.B. Applic. 1236/57, Objection No. 2, be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the continuation of use in the premises proposed to be acquired by the City for the street widening of Richmond Avenue and Amboy Road, provided that no construction is erected thereon and that such space is used only for exit and entrance to the gasoline service station, in accordance with the resolution adopted by the Board this day under Cal. No. 942-57-BZ; that in the event a portion of the premises as proposed is acquired by the City for street widening, compensation therefor shall be as determined by the Court and upon this acquisition the facilities of the gasoline station shall be re-adjusted as may be necessary with the approval of the Board.

963-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Harry Summer and James V. Cirillo, owners.

SUBJECT—Application reopened and restored to docket April 29, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e & 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles. PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Louis L. Rosenberg.

For Opposition: None.

For Administration: John J. Saunders, Bd. of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened and restored to docket as Vol. II on April 29, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 3, 1958 acting on N. B. Applic. No. 2197-57, reads:

"1. Proposed building and premises on a plot which is in a Residence Zone to be used for gasoline service station, lubricatorium, car wash, minor auto repairs, storage, parking and storage of motor vehicles is contrary to Art. II, PP. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 120 feet in depth; that it is proposed to obtain a variance for a temporary period of fifteen years and to erect and maintain a modern gasoline service station consisting of twelve 550 gallon gasoline tanks and four dispensing pumps; that the contemplated accessory building will be one story in height, of class III construction with a frontage of 60 feet and a depth of 30 feet, and will have conjunctive uses of lubricatorium, minor auto repairs, car wash, storage room, office and sales; that the open area, not used by the gasoline service station, will be used for parking and service of motor vehicles; and

WHEREAS, the applicant contends that Linden Boulevard is a heavily trafficked auto lane leading across Brooklyn, and as such the proposal is entirely within keeping at this

point; that the building as contemplated is modern in design and will set a precedent for any future development of this area; that the ten foot wide planted area proposed along the northerly lot line will act as a buffer between the proposed and adjoining lot No. 23; that within the affected area in block 4503, lot 1, there is a non-conforming use of gas station and in block 4480, lots 21 and 42 there is a non-conforming use of lumber yard; that this area has been stagnated insofar as new building construction in conformity with the Zoning Resolution is concerned; that the only new construction in the past twenty years is the erection of a new gas station in 1957 in block 4503, lot 1, which proves conclusively that the erection of another gas station will be in keeping with the future development of this area; and

WHEREAS, the applicant states that the present owners have held title to the property since August 19, 1957 and that the assessed valuation of land is \$9,100; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e, for a term of 15 years to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto as indicated on plans filed with this application marked, "Received December 24, 1957," 3 sheets, and "June 19, 1958," 1 sheet, on condition that all building and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Linden Boulevard and Montauk Avenue; that the building shall be arranged and constructed as indicated on such plans; that the accessory building shall be erected, as shown, 10 feet from the northerly lot line and of the design, as indicated, without cellar and faced on all sides with face brick, that there shall be no windows opening to the side lot line wall to the west; that pumps shall be of the low approved type, erected not nearer than 15 feet to the street building line of Linden Boulevard; that gasoline storage tanks shall not exceed twelve 550 approved gasoline storage tanks; that along the lot line to the west there shall be a woven wire fence of the chain link type with a suitable terminating post at the building line carried to the wall of the accessory building to a total height of 5 feet, 6 inches and a similar fence shall be erected on the side lot line beyond the accessory building to the rear lot line and along the rear lot line for the full width and returned along the building line of Montauk Avenue for a distance of not less than 10 feet with suitable terminating post; that curb cuts shall be restricted to 2 curb cuts, each 30 feet in width to Linden Boulevard, and 2 curb cuts of similar width to Montauk Avenue; that the sidewalks and curbing shall be constructed or repaired to the satisfaction of the Borough President; that the planting area shall be maintained at the rear, protected with concrete curbing and with suitable planting material; that the premises where unbuilt upon shall be paved with concrete or asphaltic material; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7h for a similar term there may be parking of cars of the pleasure car type only on such portions of the premises where the use will not interfere with the servicing of the station; that under Section 7i, there may be minor repairs with hand tools only for adjustments, for a similar term, maintained solely within the accessory building; that signs shall be restricted to permanent signs erected on the front facade of the accessory building facing Linden Boulevard and the illuminated globes of the pumps, excluding all roof and temporary signs and advertising devices, but permitting the erection at the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend for a distance of

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4 feet beyond the building line; that at such intersection there may be a block of concrete extending 5 feet in either direction from the intersection; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

966-57-BZ

APPLICANT—Hannibal F. Zumbo, for Amerfrank Holding Co., owner; John Saffiotti, lessee.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail and residence use district, the change of the basement from storage to factory and the factory on the first floor to remain unchanged.

PREMISES AFFECTED—1412 Bay Ridge Avenue, south side, 90 feet east of 14th Avenue, Block 6157, Lot 12, Borough of Brooklyn.

APPEARANCES—

For Applicant: Hannibal F. Zumbo.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Bay Ridge Avenue and 70th Street are in local retail and residence use, C area, class 1 height districts; 14th Avenue is in a local retail use, C area, class 1 height district; 15th Avenue is in a business use, C area, class 1 height district; that at the time the building was constructed the area was zoned for business and the zone remained business until May 20, 1952 when same was changed to local retail; and

WHEREAS, the decision of the Borough Superintendent, dated November 26, 1957 acting on Alt. Applic. No. 1182-56, reads:

"1. The proposed change in use of the basement floor from storage to factory—sewing—of this bldg. located partly in a local retail and partly in a residence use district is contrary to the Zoning Resolution. Art. II, Sect. 4c and Sect. 3."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet frontage by 100 feet in depth, presently developed with a brick structure, one story and basement in height; that the building was erected under N.B. Applic. No. 7228 of 1923 for commercial use and Certificate of Occupancy No. 109185-23 was issued for manufacturing of gloves on the first floor—18 employees—and storage for the basement; and

WHEREAS, the applicant states that the present business at the above building is now, and has been using the basement for manufacturing, and it would be a hardship to relinquish the basement for manufacturing use; that the present use of the building is as follows: basement—packing, storage, manufacturing and pressing of garments, 15 employees; first floor—manufacturing of garments in conjunction with basement, 32 employees; that there is only one tenant for the entire building; and

WHEREAS, the applicant further states that the present building has a residential character which is similar to that in the neighborhood; that the general design and arrangement of the building as originally built and as it now stands, indicates that the intended use of the basement was for manufacturing purposes, since it conforms to the requirements of the Labor Law and the Administrative Code of The City of New York; that there are presently two exits from the basement—one exit leading directly to the street;

that a second exit, at the rear of the basement, leads to a rear yard having a depth of 35 feet, which yard connects to a side court five feet wide going directly to the street; that there is a third stair, consisting of an interior stair, from the basement floor to the first floor; that this building has been used as a factory since 1923; and

WHEREAS, the applicant contends that the extension of the manufacturing use in the basement will not be detrimental to the area; that the extension of the manufacturing use in the basement will allow more employees, thereby serving the need of the community by giving employment to the people in this area, where there is an abundance of this type of labor used; and

WHEREAS, the applicant states that the present owner has held title to the property since October, 1923; that the assessed valuation of land is \$4,000 and of the building \$10,000 making a total of \$14,000; that the building was erected in 1923; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c, to permit the change of use of the cellar from storage as permitted by the Department of Buildings when the building was constructed and in accordance with the Certificate of Occupancy, No. 109185-25, on condition that the space now proposed to be used for manufacturing shall be protected from other cellar uses as shown on plans filed with this application, marked "Received December 24, 1957", 5 sheets, and "June 13, 1958", 3 sheets, on condition that the exits shown shall comply with the requirements of the Labor Law; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto other than as herein permitted; and that all permits and a new certificate of occupancy shall be obtained and all work completed within six months from the date of this resolution.

986-57-BZ

APPLICANT—Leonard F. Rothkrug, for Lester Realty Corp., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a business use district, in an open yard presently used for the storage of new and used steel pipe and plumbing, the addition of accessory storage and baling of scrap metal junk for a term of five (5) years.

PREMISES AFFECTED—195-199 Allen Street, west side, 175 feet north of Stanton Street, Block 417, Lot 22, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Elmer C. Gates.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Allen Avenue, Stanton Street, East Houston Street and Eldridge Street are in a business use, B area, class 1½ height district; and

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WHEREAS, the decision of the Borough Superintendent, dated December 27, 1957 acting on Alt. Applic. No. 1776-57, reads:

"1. Proposed office and yard for storage of new and used steel pipe and plumbing, and accessory storage of scrap metal junk is contrary to Section 4 of the Zoning Resolution, being located in business use district."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 61 feet 6 inches in depth, irregular, used and occupied in accordance with Certificate of Occupancy No. 32430 as a yard for the storage of new and used steel pipe and plumbing; that it is proposed to change the occupancy to a yard for the storage of new and used steel pipe and plumbing, and accessory storage and baling of scrap metal junk; and

WHEREAS, the applicant states that the owner of these premises is also the tenant of the adjoining premises in block 417, lots 25 and 28, known as 185-191 Allen Street; that this owner first entered into a lease of the adjoining premises in 1932; that it first entered the subject premises in 1943; that prior to 1943 the subject premises was used substantially as proposed herein by Aaron and Rebecca Lippman, whose tenancy started in 1932; that prior to that date and during the years 1922 through 1932, the premises were similarly used by a different tenant; and

WHEREAS, the applicant contends that there is only a slight distinction between the existing legal use and the proposed use; that the owner is not in the junk business, but nevertheless the storage of new and used steel pipe and plumbing entails some junk storage and baling; that the used material is brought to the premises after demolition of a building; that the saleable pipe and plumbing is assorted and the balance constitutes "junk", which junk is then baled and removed from the premises; that the proposed junk storage is only accessory to the legal use and a grant of the variance will not adversely affect neighboring property owners; that the proposed use is the same which has existed on these premises for over 35 years, and it is not proposed to be changed; that this area is one of the oldest in the City and the uses in the area were established prior to the Zoning Resolution; that the proposed use for storage and sale of new and used pipe and plumbing is a conforming use and the junk storage is only an accessory use; and

WHEREAS, the applicant states that the present owner has held title to the property since January 15, 1947; that the assessed valuation of land is \$8,500 and of the building \$1,500 making a total of \$10,000; that the building was erected in 1945; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision c and e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 1776-57, Objection No. 1 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

990-57-BZ

APPLICANT—Albert Melniker, for Richmond Motor Fuels Inc., owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under sections 7c, 7e, and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and the parking and storage of more than five (5) motor vehicles to be used in conjunction with the existing motor vehicle repair shop, located in the residence portion of the plot for a stated term of fifteen (15) years.

PREMISES AFFECTED—170-186 Gordon Street and 250-

258 Broad Street, southwest corner, Block 563, Lot 72, Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

5

Negative:

0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date to be determined; hearing closed; plans to be corrected to eliminate gas pumps now shown to be retained in front of the building used for motor vehicle repair shop then set for July 29, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Broad Street are in a retail use, C area, class 1 height district; Targee Street and Gordon Street are in retail and residence use, C and D area, class 1 height districts; Laurel Avenue is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 24, 1957 acting on N.B. Applic. No. 1391-57, reads:

"1. Proposed gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools, sale of accessories and parking for more than 5 motor vehicles as accessory to existing motor vehicle repair shop on same tax lot located in a Retail Use district is contrary to Art. II Sect. 4A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 191.42 feet frontage by 97.75 feet in depth; that it is proposed to erect a gasoline service station as accessory to and to be used in conjunction with the existing motor vehicle repair shop; and

WHEREAS, the applicant further states that the property is in a retail use district for 100 feet south of Broad Street and the balance, which includes the existing motor vehicle repair shop, is in a residence use district; that the proposed two bay gasoline service station as shown on the plot plan, would fall in the area which is now zoned retail; that the existing motor vehicle repair shop was erected under N.B. Applic. No. 64 of 1933 and Certificate of Occupancy No. 37 was issued May 5, 1933; and

WHEREAS, the applicant states that the necessity for the proposed building and its uses is based on the over-all development of this area; that the present redevelopment program of The City of New York for this area is now under way and all existing buildings south of Broad Street and east of Gordon Street to Vanderbilt Avenue will be demolished to make room for a 700 apartment housing group; that architectural plans are now in the process of preparation and work is expected to start on actual construction after condemnation and relocation of present owners is accomplished; that this will require additional automobile service facilities, which in part can be satisfied by the proposed improvement; and

WHEREAS, the applicant contends that the arrangement of the present motor vehicle repair shop and its gas pumps is limited and does not provide for proper circulation or adequate service; that it limits the amount of gasoline that can be properly dispensed and also limits the amount of minor automobile service that can be rendered; that the change as submitted herewith would provide for the operation of the existing motor vehicle repair shop in that category, and the use of the proposed gas station and accompanying gasoline storage tanks and pumps for gasoline station use; that the combination of these two buildings will provide for a better integrated service and for better use of the now present corner; and

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WHEREAS, the applicant also contends that Broad Street represents one of the main business streets of Stapleton; that it connects Bay Street, Tompkins Avenue, Gordon Street, Targee Street and Van Duzer Street, thus acting as a main traffic link to the above mentioned side streets; that this represents commercial requirements, transient requirements and the needs of the adjacent community as well as the proposed housing development; that inasmuch as this improvement will represent a sizeable sum, it is requested that a variance, if granted, be for a term of fifteen years to permit acceptable financing arrangements to be made; and

WHEREAS, the applicant states that the present owner has held title to the property since January 17, 1958; that the assessed valuation of land is \$11,900 and of the building \$6,000 making a total of \$17,900; that the building was erected in 1933; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted to permit the reconstruction of the existing gasoline service station under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions c, h and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the reconstruction and rearrangement of the existing gasoline service station, substantially as proposed and indicated on plans filed with this application, marked "Received December 27, 1957", 3 sheets, "June 6, 1958", 2 sheets and "June 3, 1958", 1 sheet and "July 25, 1958", 1 sheet, *on condition* that the accessory building shall comply with requirements of the Building Code and such building shall have no cellar and shall be faced on all exposed sides with face brick and shall be of the design indicated; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the existing motor vehicle repair shop may be continued and pumps now existing in front thereof shall be removed; that along all interior lot lines there shall be erected a woven wire fence of the chain link type erected on a masonry base or retaining wall to a total height of not less than 5 feet, 6 inches, and which shall be constructed and maintained by this owner; that such fence may be omitted on the lot line where the rear of the proposed accessory building will occur; that there shall be no windows or other opening in the rear wall of the accessory building; that sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to permanent signs attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all roof signs and temporary signs and advertising devices, but permitting the erection within the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend not more than four feet beyond the building line; that under section 7i there may be minor repairing with hand tools only for adjustments, maintained solely within the accessory building; and under Section 7h for a term of five years there may be parking and storage of motor vehicles so placed as not to interfere with the servicing of the station; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

32-58-BZ

APPLICANT—Patrick D. Concagh, for Michelenia De Tore, owner.

SUBJECT—Application January 31, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a one-story structure for use as an automatic car wash on a vacant plot of land.

PREMISES AFFECTED—2564-2568 Boston Road, south side, 126.31 feet west of Matthews Avenue and 2551-2559 Matthews Avenue, Block 440, Lot 27, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick D. Concagh.

For Opposition: Louis Rovello.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision, hearing closed; then to July 29, 1958, for applicant to file revised plans as to location of building and for inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Barnes Avenue and Matthews Avenue are in business and residence use, D area, class 1 height districts; Boston Road is in a business use, D area, class 1 height district; Mace Avenue is in a residence use, D area, class 1 height district; that on July 25, 1916 Boston Road was in a business use and Matthews Avenue was in a residence use, as they are at the present time; but in 1916 they were both in a C area and class 1½ height district; that on July 20, 1942 the area and height designations were changed to D area and class 1 height, respectively; that there is no petition pending at the present time for any change in these designations; and

WHEREAS, the decision of the Borough Superintendent, dated January 8, 1958 acting on N.B. Applic. No. 1550-57, reads:

"1. On a lot located partly in business and partly in residence districts the proposed 'car wash' is contrary to Sect. 3 and Sect. 4(a)(52) Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 138.4 feet in depth; that it is proposed to erect a structure, one story in height, of masonry construction, stuccoed on the outside; that the exterior wall facing Boston Road will be constructed of face brick; that this building will be located wholly in the business portion of the lot which faces on Boston Road, leaving a sufficient open area at the rear so that cars awaiting service can move freely; that the only exits or entrances proposed will be through the two 18 foot curb cuts; that the plot will be levelled to the grade of Boston Road and surfaced with porous asphalt; that because of the difference in grade between Boston Road and Matthews Avenue, at this point, it is proposed to construct a retaining wall at the rear; that a woven wire fence of the chain link type will surmount this wall; that this will insure that there will be no exits or entrances of any kind, either vehicular or pedestrian, on Matthews Avenue, thereby safeguarding the residential character of that avenue; and

WHEREAS, the applicant states that the portion of the site facing on Boston Road has been recently filled in and graded to a depth of about 20 feet; that this space is temporarily rented out as a used car lot for light trucks and there are about eight such trucks parked there at the present time; that this use will be discontinued upon action of the Board; that such use can only be of a temporary nature, since the presence of a similar use in the adjoining lot 22, and high assessed valuation of this property, would make it economically unfeasible for development for such use; that there is a large amount of vacant property in this block, which is

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owned by The City of New York, and most of it adjoins the site—lots 20, 22, 39 and 41; that the subject site was purchased from the City at a tax sale in the early part of 1957 and the present owner bought this property from the purchaser at that sale on July 10, 1957; and

WHEREAS, the applicant contends that Boston Road, at this point, is developed mostly by gasoline service stations, used car lots and some manufacturing; that there are four gas stations within a block of the site—lot 20 in block 4439; lot 71 in block 4440; lot 34 in block 4441 and lot 62 in block 4441; that there is a large lumber yard east of the site, on Boston Road and Bronxwood Avenue, and across Boston Road from the site, manufacturing of canvas cement and venetian blinds is carried on; that Allerton Avenue, which intersects Boston Road near the site, is developed with retail stores and residential units; that Matthews Avenue, south of the site, is residential; and

WHEREAS, the applicant further contends that a grant of this application will serve a public need in this area as several of the nearby gas stations have indicated that they would welcome an automatic car wash in this neighborhood; that although they themselves have bays for accessory washing, they lack the facilities and accommodations for a thorough washing which customers demand, and who resent the long wait before their cars are serviced at these stations; that there are no automatic car washes in this vicinity; that a grant of this application should not adversely affect adjoining properties along Boston Road nor along Matthews Avenue, since all activities will be confined to the front of the lot facing on Boston Road, while the rear of the lot, which consists of an open space, will be confined to the movement of cars about to enter the building; and

WHEREAS, the applicant states that the present owner has held title to the property since July 10, 1957 and that the assessed valuation of land is \$19,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the construction and use of the automatic car wash substantially as proposed and as indicated on plans filed with this application marked "Received January 31, 1958," 3 sheets, and "May 21, 1958", one sheet, and revised plans marked "Received July 24, 1958", one sheet, showing reservoir space at the front of the building *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be arranged as indicated on such revised plans; that the one-story laundry building shall have no cellar and shall comply with the requirements of the Building Code; that there shall be no windows opening to the adjoining lot to the east; that the area where not covered by the proposed building shall be paved with concrete or asphaltic pavement; that along all lot lines there shall be maintained a woven wire fence of the chain link type not less than five feet six inches in height erected on a masonry base or erected upon a retaining wall where retaining walls are required and which are to be constructed at this owner's expense; that suitable terminating posts shall be erected and maintained for such fences at the building line and where proposed to be constructed on the building line of Boston Road; that curb cuts shall be restricted to two curb cuts to Boston Road each not over 18 feet in width and located so that no curb cut is nearer than five feet to a street building line as prolonged; that signs shall be restricted to permanent signs attached to the facade of the auto laundry facing Boston Road excluding all roof signs and temporary signs and advertising devices; that the unbuilt upon area, is exclusive

of the use as an entrance for cars awaiting to be washed, may also be used for the parking of cars not interfering with the cars entering the laundry for a similar term under Section 7h; that such cars shall be limited to cars to be washed or having been washed; that during the term of this variance the premises shall be used for no use other than as permitted by this resolution; that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

49-58-BZ

APPLICANT—Patrick D. Concagh, for Sal A. Malfa and Louis R. Peruso, owners.

SUBJECT—Application February 7, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a local retail use "C" area district, the erection of an extension to an existing one-story structure, now occupied by two retail stores, it is proposed to occupy said extension by an additional retail store, occupying more than the permissible area.

PREMISES AFFECTED—3960-3962 Bronxwood Avenue, east side, 44.5 feet south of East 225th Street, Block 4860, Lot 51, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Bronxwood Avenue are in a local retail use, C area, class 1¼ height district; East 224th Street and East 225th Street are in local retail and residence use, C area, class 1¼ and class 1 height districts; Paulding Avenue is in a residence use, C area, class 1 height district; that on July 25, 1916 the premises were located in a business use, C area, class 1¼ height district; that on October 18, 1949 the business use along Bronxwood Avenue was changed to local retail south of East 225th Street and to retail north of East 225th Street; that the area and height designations remained unchanged over the years; that there is no petition pending at the present time for any change of use; and

WHEREAS, the decision of the Borough Superintendent, dated January 13, 1958 acting on Alt. Applic. No. 2-58, reads:

"1. Excess Coverage. The building coverage for the extension of commercial building in a Local Retail District is contrary to Article IV Sec. 13 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 65.28 feet frontage by 80.70 feet in depth; that the rear lot line is 30.28 feet in width; that the plot is presently developed with a one story masonry brick and block structure occupied by two retail stores, one of which is occupied by the owners as a retail liquor shop and the other is rented out to a druggist; that the structure has a frontage of 41 feet and a depth of 50 feet; that the original building, consisting of the south store, was erected under N.B. Plan No. 668 of 1952 for which Certificate of Occupancy No. 13440 was issued; that an extension, consisting of the adjoining store to the north, was erected under Alt. Applic. No. 557-56, for which Certificate of Occupancy No. 19676 was issued on August 31, 1956; that this leaves an open and unoccupied space at the north of the plot, irregular in shape and consisting of a frontage of 24 feet 2 inches on Bronxwood Avenue and gradually narrowing towards

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the rear of the lot to within three feet four inches of the rear wall of the present building; that it is proposed to erect and maintain a one story extension to the present structure to be occupied as a retail store; that such proposed extension and the existing building will occupy 2,780 square feet in area; that the entire area of the lot is 3,856 square feet and the permitted coverage is therefore 2,314 square feet; that the excess coverage is approximately 466 square feet; and

WHEREAS, the applicant states that the surrounding area along Bronxwood Avenue is developed with conforming uses consisting for the most part of one story taxpayers, occupied by retail stores; that there are a few two and three story buildings occupied by retail stores on the first floor with residential units on the upper floors; that lot 56 in block 4860, on the southeast corner of Bronxwood Avenue and East 225th Street, which practically adjoins the site, is occupied by a gasoline service station; that actually adjoining the site on the north of lot 26; that this strip of vacant land, running from Bronxwood Avenue on the west diagonally across the block to East 224th Street, was formerly known as Corso Lane; that this strip was sold by The City of New York on June 23, 1955 to Joseph Reitano, Jr.; and

WHEREAS, the applicant further states that this application is brought under the provisions of Section 21 of the Zoning Resolution; that the variance sought is for area and not for use, and in this connection the attention of the Board is called to the ruling in the matter of Ryback vs. Murdock, 1 A.D. 2nd. page 132—"This court is committed to the rule that, in the absence of statutory provision to the contrary, special hardship need not be established as a condition to granting an area variance.—The rule is recognized generally." (Village of Bronxville, et. al. vs. Clarence Francis.); and

WHEREAS, the applicant contends that a grant will enhance the general appearance of the neighborhood and will at the same time eliminate a dark alley which is being used for the deposit of trash and refuse; that it will enable the owners to utilize and develop a vacant strip of land which provides no light or ventilation to the existing building or contributes in any way to block ventilation; that the yard space at the rear, which is approximately 30 feet in depth, provides this ventilation; that it will also eliminate the unlawful parking of cars on this vacant strip by neighboring property-owners and their customers, a situation the owners have had to contend with for the past several years, and which is very difficult to control; that it will benefit the City of New York in the form of increased taxes and benefit the owners in the form of increased revenue with which to pay those taxes; that a grant will in no way adversely affect the character of the neighborhood, inasmuch as the design of the proposed extension will harmonize with the present building and be in keeping with the neighboring uses; and

WHEREAS, the applicant states that the present owner has held title to the property since August 2, 1950; that the assessed valuation of land is \$6,200 and of the building \$10,300 making a total of \$16,500; that the building was erected in 1952; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 as to extension of area to permit the construction of an additional retail store as proposed and as indicated on plans filed with this application marked "Received February 7, 1958", 7 sheets, and "June 11, 1958", one sheet, on condition that the

building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that there shall be no windows installed or maintained on the lot lines and windows shown for ventilation of toilet shall be filled with masonry and the toilet shall be vented by duct to roof as permitted by the Building Code; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

53-58-BZ

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the addition of storage of lumber in the open yard, with the use of power saws to the existing use of storage and sale of building materials all for a term of ten (10) years.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner of 15th Avenue, Block 6340, Lot 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Francis L. Giordano and John Liuzzi.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 15th Avenue and 86th Street are in a business use, D area, class 1 height district; 14th Avenue and 85th Street are in business and residence use, D area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated January 28, 1958 acting on Alt. Applic. No. 4061-57, reads:

"1. Proposed storage and sale of building materials, storage of lumber and building materials in the open yard, lumber sheds and the use of power saws all within a business use district is contrary to Art. II Sec. 4a(31) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 200 feet in depth, on which is located a one story building 13 feet in height, 24 feet 8 inches by 99 feet 4 inches in area, erected in 1956, of class 3 construction, used and occupied in accordance with Certificate of Occupancy No. 146535 for the storage and sale of building materials; that it is proposed to add the use of storage of lumber in the open yard with power saws to legal use of the premises for the storage and sale of building materials; and

WHEREAS, the applicant states that the premises is presently used substantially as proposed herein; that both 86th street and 15th Avenue are in business use districts; that Mar Lumber Company has occupied these premises for the storage and sale of building products, including the storage of lumber and using power saws, for over fifteen years; that the owner, acting under N. B. Applic. No. 1557-50, erected the one story building and obtained Certificate of Occupancy No. 146535 issued December 12, 1955, which permits the use of the building as a business, office, storage and sale of building materials; that it also provides that the vacant portion of the plot be used for storage of building materials—no lumber storage; 550 gallon gasoline tank for owner's own consumption; no selling of gasoline

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permitted; that Fire Department approval for private use of gasoline tank installation was obtained May 23, 1955; that the principal business in which the owner engaged is the supply of building materials to builders; that the storage and cutting of lumber is a necessary incident of this business; that the premises do not constitute a saw mill, as that term is ordinarily used, since no rough lumber is delivered or cut on the premises; and

WHEREAS, the applicant contends that a grant of the variance will not adversely affect any of the property owners within the affected area; that this neighborhood to the north and south of 86th Street is fully developed; that the north side of 86th Street between 14th and 16th Avenues has failed to develop with the surrounding area, so that it is vacant for the most part; that there are many automobile uses on the north side of 86th Street; that at the northeast corner of 14th Avenue and 86th Street the Board granted a variance for a new car agency, repair shop and accessory gas station—Benson Chevrolet; that at the northwest corner of the intersection opposite the premises, block 6341, lot 1, an application is pending at the Board for a gas station; at block 6341, lot 8 there is a new large bowling alley building, with its accessory parking on 86th Street frontage; that at block 6340, lot 15 there is a gas station, erected prior to 1925, when it was a permitted use in a business district and at block 6340, on lots 52 and 66, there are parking lot and used car sale uses; that it is not proposed to have any curb cut or opening along 85th Street; that likewise, there are no signs proposed or any indication of a business use along the 85th Street frontage, despite the fact that this portion of the premises is in a business zone; that there will be no use of power saws on that portion of the premises within 100 feet of 85th Street; that all loading and unloading is done within the premises and not from the street; and

WHEREAS, the applicant further contends that the proposed use, which has existed on these premises for many years, is more desirable than many of the legal uses which would be permitted in a business zone; that a factory building could be erected several stories in height which might deprive the area of light, air and ventilation, without a variance from the Board; that there is no economic demand for development of the premises with a conforming use; that 86th Street is a heavily trafficked main thoroughfare at this intersection and is undesirable for any residential development; that existing retail stores adequately serve all needs of the surrounding community, which is fully but not densely developed, and there is no requirement for additional facilities as shown by the fact that several of the existing retail stores are presently used for non-retail store use; that this neighborhood is not a factory area and development of the premises with a factory use would be undesirable and uneconomical; and

WHEREAS, the applicant states that the present owner has held title to the property since October, 1952; that the assessed valuation of land is \$24,000 and of the building \$5,500 making a total of \$29,500; that the building was erected in 1950; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and the Committee has studied the matter not only as to the existing conditions, which do not comply with the law, but also as to the subject of this application, which is the extension in use and area, and recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. #4061/57, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

54-58-A

APPLICANT—Leonard F. Rothkrug, for Mar Lumber Co., Inc., owner.

SUBJECT—Application February 11, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction less than 4 feet from Lot line.

PREMISES AFFECTED—1474-1484 85th Street, 8502-8524 15th Avenue, southwest corner and 1473-1485 86th Street, northwest corner, Block 6340, Lot 38, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal withdrawn in view of the action taken by the Board under Cal. No. 53-58-BZ.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

80-58-BZ

APPLICANT—Leo Katzman, for Sylvia Katzman, owner.

SUBJECT—Application February 25, 1958—decision of the Borough Superintendent, under sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, car washing (non-automatic), lubrication, auto repairs with hand tools only, office, sale and storage of accessories, parking of more than five (5) cars waiting to be serviced and ground sign in a business area for a term of fifteen (15) years.

PREMISES AFFECTED—114-35 to 114-47 New York Boulevard and 163-01 to 163-09 115th Avenue, northeast corner, Block 12327, Lot 1, South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Sylvia Katzman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, New York Boulevard and 115th Avenue are in a business use, D area, class 1 height district; Linden Boulevard and Marsden Street are in business and residence use, D area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated January 28, 1958 acting on N.B. Applic. No. 101-58, reads:

"1. Proposed gasoline service station, car washing (non-automatic) lubritorium, auto repairs with hand tools only, office, sales and storage of auto accessories and parking of more than five cars waiting to be serviced, and ground signs in a Business use district is contrary to Article 2, Sec. 4(a) (15) (29) (46) (49)." and

WHEREAS, the applicant states that the premises consist of a plot, 135 feet frontage by 98 feet in depth presently developed with a two car cinder block garage in the rear, about 36 feet north of 115th Avenue; a two story frame dwelling, more than forty years old, set back 21 feet from New York Boulevard and 59 feet north of 115th Avenue; a one car frame garage, set back 20 feet from New York Boulevard and 99 feet north of 115th Avenue, about five feet below grade, and unusable; a two story frame dwelling, about forty years old, set back 20 feet from New York

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Boulevard and 116 feet north of 115th Avenue; that all of the buildings are below legal grade; that it is proposed to demolish all of the present structures and uses and to erect a new, modern gasoline service station, with three bays for servicing automobiles, non-automatic car wash, auto repairs with hand tools only, lubritorium, office, sales and storage of auto accessories, parking for more than five autos awaiting service, ground signs, lavatories for men and women, surrounded by a brick and iron fence and landscaping; and the area has many business and non-conforming uses already established as such; that adjoining this property on the north in block 12327, lots 8, 10, 11, 13, and 14 has a diner, small office and sheds for the sale of building materials and open storage of same; that adjoining on the east in block 12327, lots 53 and 55 are two junk yards used for the open storage of used steel, bricks and other materials; that adjoining on the south in block 12335, lots, 60 and 61 are improved with auto repair shops, which are non-conforming uses; that adjoining on the west in block 12200, lot 52 and comprising the entire west side of New York Boulevard from Linden Boulevard on the north to the tracks of the Long Island Railroad Company on the south, is the bus station, garage, repair shop, service area, bus parking area and offices of Jamaica Bus Company, also a non-conforming use; that the proposed improvement will be attractive and well lighted at night; that a gas station of the proportions described above is a practical, financially sound and desirable method of using and developing this property; that New York Boulevard is a very heavily trafficked street as it is one of the main traffic arteries for automobiles from the central shopping area on Jamaica Avenue and also one of the main roads in the South Jamaica and Springfield Gardens areas; and

WHEREAS, the applicant states that the present owner has held title to the property since February 23, 1947; that the assessed valuation of land is \$4,100 and of the buildings \$6,500 making a total of \$10,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto, substantially as proposed and indicated on plans filed with this application, marked "Received February 25, 1958", 4 sheets, *on condition* that all buildings and uses now on the plot shall be removed and the premises graded substantially to the grade of the abutting streets and arranged as indicated on such plans; that the accessory building shall be faced on all sides with face brick, and shall have no cellar and shall be of the design, arrangement and located as indicated on such plans; that on all interior lot lines there shall be erected a masonry brick wall agreeing with the brick of accessory building, not less than two feet in height above grade, surmounted by a steel picket fence not less than 3 feet 6 inches in height, to a total height of 5 feet, 6 inches; that terminating posts for such fence of similar masonry shall be constructed on the building line of New York Boulevard; that a similar fence shall continue along the building line of 115th Avenue for a distance of fifty feet, as shown, with suitable terminating post as above specified; that gasoline pumps shall be of an approved low type, erected not nearer than 15 feet to the street building line of New York Boulevard; that gasoline storage tanks shall not exceed twelve 550 gallon tanks; that curb cuts shall be restricted to two, each 30 feet in width to New York Boulevard, where shown, and one curb cut within the first 25 feet of the intersection, along 115th Avenue; that such curb cut shall not exceed 18 feet in

width; that no portion of any curb cut shall be nearer than five feet to a side lot line as prolonged; that at the intersection there shall be constructed a block of concrete 12 inches in height, extending for not less than five feet along each building line from the intersection; that sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that planting areas shall be maintained of the width shown, located where shown, of shrubbery or other suitable planting material and protected with a concrete curb not less than 8 inches in height and 6 inches in width; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the facade of the accessory building, facing New York Boulevard, and the illuminated globes of the pumps, excluding all roof and temporary signs and advertising devices, but permitting the erection at the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the front building line not more than 4 feet; that under Section 7e for a similar term there may be parking of cars awaiting service, such cars to be placed so as not to interfere with the servicing of the station; that under Section 7i for a similar term, there may be minor repairs with hand tools only for adjustments maintained solely within the accessory building; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

147-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline station and to continue the present uses of offices, lubritorium, storage and sale of auto accessories, car washing—non automatic, minor auto repairs with hand tools and the parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—2211 Hylan Boulevard, northwest corner of Lincoln Avenue, Block 3591, Lot 1, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-

ert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for applicant to submit information as to when the existing use was established, how it was established, the permit number, size of lot and for what uses it contained; then to July 15, 1958, for additional information as previously requested; hearing closed; then to July 29, 1958, for applicant to furnish information as to permits and size of plot and the date when original permit was issued by Fire Department and for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Hylan Boulevard are in a retail use, D area, class 1 height district; Lincoln Avenue and Midland Avenue are in retail and residence use, D and E area, class 1 height districts; Grant Place is in a residence use, E area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 20, 1958 acting on N.B. Applic. No. 100-58, reads:

"1. The proposed construction for use of gasoline service station, lubritorium, auto repair, auto laundry,

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office and service room, located in a retail use district is contrary to Article II, Paragraph 4-A of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 90 feet frontage by 58 feet in depth; that dimensions as stated refer to the new street line of the widening of Lincoln Avenue as laid out on the City Map; that the premises are developed with a gasoline service station consisting of a two story frame building with extensions, a frame garage and two gasoline pumps on an island; that it is proposed to reconstruct the present gasoline service station by demolishing the frame buildings and removing the pumps and construct a one story service building having a frontage of 50 feet and 26 feet in depth, of class III construction; that the accessory building will be finished in face brick and will be highly modern in design, and will contain the present conjunctive uses of office, sales room, sale of auto accessories, lubritorium bay, non-automatic car wash bay, boiler room, toilets, minor auto repairs with hand tools and the parking of more than five cars awaiting service; that it is further proposed to install a total of ten approved type 550 gallon each buried gasoline storage tanks and five dispensing pumps, three pumps on one island and two on another; that two 20-foot curb cuts will be installed along Lincoln Avenue and two 15-foot cuts will be installed along Hylan Boulevard; that the open area will be finished with a suitable pavement; that a colonial type fence four feet high, on a concrete base one foot six inches high, making a total of five feet six inches in height, will be erected along the north lot line with a five foot wide planted area protected by a concrete curb six inches high and eight inches wide along the fence; that Lincoln Avenue, as shown on the City Map, is to be widened to the north side to a final width of 60 feet; that the concrete mat under the gasoline pumps and a concrete pavement lie within this mapped street; and

WHEREAS, the applicant contends that the obsolete buildings and equipment that adds to the inefficiency of operation, and the encroachment on the mapped street, make it necessary to reconstruct this station; that the owner feels that as long as he is undertaking the expense of reconstruction and removal of structures from the mapped street, he will modernize the station, which will tend to uplift the area; that the north side of Lincoln Avenue between Zeni Place and Grant Place is developed with one and two family dwellings; that the south side of Lincoln Avenue between Hylan Boulevard and Grant Place, and along the east side of Hylan Boulevard facing the site, is vacant land; that there has been no new improvements, or development of this area, for some time; that the modernizing of this station will blend with the dwellings surrounding it and will enhance the area; and

WHEREAS, the applicant states that the present owner has held title to the property since December 15, 1951; that the assessed valuation of land is \$4,300 and of the buildings \$5,700 making a total of \$10,000; that the buildings were erected prior to 1924; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the reconstruction and rearrangement of the lawfully existing gasoline station substantially as proposed and as indicated on plans filed with this application marked "Received March 20, 1958", 2 sheets, and "April 15, 1958". 3 sheets, *on condition* that all buildings and uses not shown on such plans to be retained shall be removed and the premises shall be reconstructed and arranged as indicated

on plans showing new conditions; that the accessory building shall be of the design and arrangement and located as indicated thereon and shall have no cellar and shall be in accordance with the requirements of the Building Code and shall be faced on all sides with face brick; that pumps shall be of a low approved type, erected not nearer than fifteen feet to the street building line of Hylan Boulevard or Lincoln Avenue; that the number of gasoline storage tanks shall not exceed ten 550 gallon approved tanks; that the premises where not occupied by the accessory building and pumps shall be paved with concrete or asphaltic pavement; that curb cuts shall be restricted to two curb cuts to Hylan Boulevard each not exceeding 20 feet in width and one curb cut to Lincoln Avenue toward the intersection not exceeding 30 feet in width with no portion of any curb cut nearer than five feet to a lot line as prolonged; that sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that parking of motor vehicles may be permitted provided such parking does not interfere with the servicing of the station; that minor repairs may be permitted under Section 7i with hand tools only for adjustments maintained solely within the accessory building; that signs shall be restricted to permanent signs attached to the facade of the accessory building facing Hylan Boulevard and the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection within the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; that at such intersection there shall be erected a block of concrete extending for a distance of five feet along either building line from the intersection and not less than 12 inches in height; that fences or walls on the lot lines shall be maintained as shown on such plans above cited; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

148-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 20, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a residence use district, the reconstruction of a present gasoline service station and continue the uses of office, storage and sale of auto accessories, car wash—non automatic, minor auto repairs with hand tools only, lubritorium and the parking of more than five (5) motor vehicles awaiting to be serviced.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5
0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 24, 1958 after due notice by publication in the Bulletin; date to be set for inspection and decision; hearing closed; then set for July 22, 1958 at 10 A. M.; then laid over to July 29, 1958 in conjunction with Calendar Number 382-58-A, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Richmond Road, Tysens Lane, Combs Avenue and Willowbrook Parkway are in a residence use, E area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent,

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dated February 19, 1958 acting on N.B. Applic. No. 86-58, reads:

"1. The proposed construction for use of gasoline service station, lubritorium, auto repair, auto laundry, office and service room, located in a residence use district is contrary to Article II Paragraph 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 108.28 feet frontage by 76.39 feet and 117.93 feet in depth, presently developed with a gasoline service station consisting of a 1¼ story frame building, with a one story frame extension, an outdoor grease lift and two gasoline pumps on a concrete island; that it is proposed to reconstruct the present gas station by demolishing the existing frame building, remove the outdoor grease lift and gasoline pumps and construct a modern gas station with its present services of lubritorium, office, storage and sale of auto accessories, minor auto repairs with hand tools, non-automatic car washing and parking of more than five motor vehicles awaiting service; that the service building will be one story in height, with a frontage of 50 feet and a depth of 31 feet; that it will be of class III construction, of modern design and will contain an office, store room, boiler room, toilets and two service bays; that it is further proposed to install a total of ten 550 gallon gasoline tanks and six dispensing pumps; that a colonial type fence, five feet six inches high, will be erected along the east and west lot lines, with a landscaped area five feet wide protected by a concrete curb six inches high and eight inches wide; that two 20-foot curb cuts will be installed on Richmond Road and one 20-foot cut on Combs Avenue; that the open area will be finished with a suitable pavement; and

WHEREAS, the applicant further states that records of the Building Department show that the gas station was built under N.B. Applic. No. 15-25 and completed February 9, 1926; that Certificate of Occupancy No. 4862 was issued March 1, 1946 for a gasoline service station, store and storage of auto parts, based on the use being established prior to June 12, 1925; and

WHEREAS, the applicant contends that the reconstruction and modernization of this gasoline station will clean up an unsightly and dilapidated condition and remove parts of the station in the bed of Richmond Road as mapped; that the modernization will also have an uplifting effect on the site and surrounding area; that although the site and surrounding area is zoned for residence use, the area is undeveloped except for a frame dwelling here and there; that there has been no new development in this section for the past 35 to 40 years; that the widening of Richmond Road and the future development of Willowbrook Parkway will bring an increase in automobile traffic to the area; and

WHEREAS, the applicant states that the present owner has held title to the property since December 2, 1955; that the assessed valuation of land is \$4,450 and of the building \$3,550 making a total of \$8,000; that the building was erected in 1925; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted with conditions; that the plot having a one story building formerly a grocery store, has two gasoline pumps which do not appear to be recorded in the Fire Department records but are of long standing; when the Willowbrook Parkway is constructed this plot will be at the corner of the service road and Richmond Road; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c to permit the reconstruction of the existing gasoline station substantially as proposed and as indicated on plans filed with this application marked, "Received March 20, 1958",

4 sheets, "April 2, 1958", one sheet, "June 13, 1958", 2 sheets, "July 18, 1958", one sheet on condition that all buildings and uses shall be removed and the premises shall be reconstructed and arranged as indicated on such plans; that the accessory building shall be of the design and arrangement as indicated on such plans and shall be faced with face brick; that there shall be no cellar under the accessory building; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line of Richmond Road and Combs Avenue, as shown; that on the interior lot lines there shall be erected a woven wire fence of the chain link type to a total height of five feet six inches on a masonry base with masonry terminating posts at the building lines; that the number of gasoline storage tanks shall not exceed ten 550 gallon approved tanks; that the sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that at the intersection of Richmond Road and Combs Avenue curbing shall be set back as proposed for widening the roadway; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, for a similar term, there may be minor repairs with hand tools only for adjustment maintained solely within the accessory building; that under Section 7h, for a similar term, there may be parking of cars limited to the pleasure car type only and maintained on such portions of the plot where parking will not interfere with the servicing of the station; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all temporary signs and roof signs and advertising devices but permitting the erection within the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; that at such intersection there shall be erected a block of concrete for a distance of five feet along each street from the intersection and not less than 12 inches in height; that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution; and that the requirements of the resolution adopted this day under Cal. No. 382-58-A shall be complied with.

382-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re curb cuts located in the bed of a mapped street—proposed widening of Richmond Road.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs Road, (Hitchcock Avenue), Block 4328, Lot 6, Richmondtown, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and
Commissioner: Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 6, 1958 on N. B. Applic. 86/58, reads:

"2. The proposed curb cuts located in the bed of mapped streets are contrary to Article 3, Section 35 of the General City Law."

and

WHEREAS, the applicant states that the plot is 108.28 feet front by 76.39 feet and 117.93 feet in depth, located in a residence use, E area, class 1 height district, upon which there exists a 1 story, 12 foot and 17 foot high, class 4 constructed building, 32 feet 3 inches by 65 feet 6 inches in depth, erected in 1925 and 1926 and used and occupied

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as a gasoline service station and storage of auto parts; that it is proposed to be redeveloped with a 1 story building, 12 feet and 17 feet in height, 50 feet front by 31 feet in depth, of class 3 construction, and the entire premises to be used and occupied as a gasoline service station, lubricatorium, minor motor vehicle repairs, non-automatic car washing, office, service room and parking of more than 5 cars awaiting service, as described in application for zoning variance filed under Calendar Number 148-58-BZ; and

WHEREAS, the applicant states that there will be no building erected within the mapped street area, nor will there be any new curb cuts installed at this time; that required fences and landscaping will be provided; and

WHEREAS, the applicant contends when the street improvements are made, the curb cuts location will be determined and no claim will be made for damages for the construction within the widening area; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on NB App 86/58, Objection No. 2, be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted, on condition*, that in the event a portion of the premises is taken for street widening, the curb cuts now shown to be located within the bed of the mapped street shall be removed and relocated as may be permitted by this Board; that until such widening is done the premises may be used as permitted by resolution adopted this day under Cal. No. 148-58-BZ; that when acquired by the City for street widening such portion of the premises shall be subject to the determination of the Court as to compensation to the owners for the taking of such land.

168-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7c, 21, and 7A of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a two-story building of class one construction to be occupied as a department store and covering more than the permitted area with signs, show windows and business entrance exceeding three feet six inches in width within 75 feet of a residence use district.

PREMISES AFFECTED—2227-2249 Linden Boulevard and 731-767 and 781 Ashford Street, northeast corner; 828-850 Hegeman Avenue; 842-874 Cleveland Street and 820-826 Cleveland Street, Block 4335, Lots 1, 6, 16, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Ashford Street and Cleveland Street are in business and residence use, D area, class 1 height districts; Hegeman Avenue is in a business use, D area, class 1 height district; Linden Boulevard is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 21, 1958, acting on N.B. Applic. No. 110-58, reads:

"1. The proposed erection of a two story building to

be used for a Department Store and the proposed business signs and marquees in the Residence portion of a plot located partly within a Business Use District and partly within a Residence Use District is contrary to Art. II Section 3 of the Zoning Resolution.

"2. The Area of the proposed building located in a 'D' area district is contrary to Art. IV Section 14(c) of the Zoning Resolution.

"3. The proposed signs show windows and business entrance exceeding 3'-6" in width within 75'-0" of a Residence Use District is contrary to Art. II Section 7A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 265 feet in depth, irregular in area and unimproved; that it is proposed to erect a modern fireproof, two story department store having a frontage of 200 feet and an irregular depth of 325 feet; that this appeal also includes the business signs and marquees in the residence use district; and

WHEREAS, the applicant further states that the building will be highly modern in design, it will be an outstanding attraction and will lead the way to any future development of this area; that this department store will provide the necessary and required retail service to the many large apartment houses in this area; that the large supermarket that was granted by the Board, at the northwest corner of Linden Boulevard and Ashford Street, is one of the most successful supermarkets in Brooklyn, which proves conclusively that this area is now being properly developed and the new department store will be in keeping at this point; that the large parking area for patrons' cars that is proposed across Ashford Street in Block 4334, Lots 7, 9, 11, 16, 18 and 20, will make this store a self contained unit, and keep all customers' parking off the street; and

WHEREAS, the applicant states that the area of the lot is 70,000 square feet; the proposed area of the building is 62,661 square feet; the allowable area permitted to be occupied is 41,500 square feet; that therefore the building is 21,161 square feet in excess of the allowable area permitted in a class D area district; and

WHEREAS, the applicant contends that in modern day designing of large department stores, a greater emphasis is given to larger aisles for better circulation, large lobbies, lounges and toilets, escalators, nurses' stations, off street loading and unloading berths, which in turn reduces the selling space required to display the large quantities of small items carried by such stores; that it would therefore be an undue hardship upon the owner to comply with area coverage for this highly competitive type of store; that the proposed show windows and business signs within 75 feet of the residence use district are required for the proper operation of this huge department store; and

WHEREAS, the applicant states that the present owner has held title to the property since January 3, 1958, and that the assessed valuation of land is \$48,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c and 7A of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the extension into the more restricted district and under Section 21 to permit the extension in area, as proposed and indicated on plans filed with this application, marked "Received March 27, 1958," 6 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be constructed substantially as pro-

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posed without marquees; that in all other respects the building and occupancy shall comply with all requirements of the Zoning Resolution and all laws, rules and regulations applying thereto; that under Section 7A any show windows and business entrances deemed to be contrary thereto by the Borough Superintendent are hereby permitted; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

169-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Esther Equities, Inc., owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit on a plot partly in a business use, and partly in a residence use district, the parking of more than five motor vehicles for patrons' cars in conjunction with a proposed department store, Ashford Street, in Block 4335.

PREMISES AFFECTED—732-764 Ashford Street and 820-826 Hegeman Avenue, southwest corner, Block 4334, Lots 7, 9, 11, 16, 18 and 20, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Max Fortunoff and Alan Fortunoff.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision in connection with 168-58-BZ; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Ashford Street and Warwick Street are in business and residence use, D area, class 1 height districts; Hegeman Avenue is in a business use, D area, class 1 height district; Linden Boulevard is in a residence use, D area, class 1 height district; that part of the premises within 100 feet of Hegeman Avenue is in a business use district and the balance of the premises is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent, dated March 18, 1958, acting on Alt. Applic. No. 303-58, reads:

"1. The use of premises for parking of patrons' cars located partly within a Residence use district and partly within a business use district is contrary to Art. II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 285 feet frontage by 100 feet in depth, presently vacant; that it is proposed to obtain a variance in order to permit the premises to be used for parking of patrons' cars in conjunction with the proposed department store across Ashford Street in Block No. 4335, Lots 1, 16, 6, 18, 19, 21, 24, 25, 27, 42, 49, 53 and 56; and

WHEREAS, the applicant contends that the proposed parking is permitted in the business use portion of the plot and it is only intended to extend the parking a part of the way into the residence use district; that the large parking area will make the proposed department store a self contained unit and will be used only for customers' off street parking; that there will be no overnight parking; that the entire premises will be enclosed with a 5 foot 6 inch woven wire fence and gates and covered with cinders; that inasmuch as this parking lot is required for modern day operation of a large suburban department store, it is requested that this application be granted, but only if the application for the department store is granted; and

WHEREAS, the applicant states that the present owner has held title to the property since January 3, 1958, and that

the assessed valuation of land is \$14,700; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c to permit the extension of use into the more restricted district, substantially as proposed and indicated on plans filed with this application marked, "Received March 27, 1958," 3 sheets; that these premises shall be used as proposed only for parking of motor vehicles belonging to the employees and patrons of the proposed building to be erected opposite on Block 4335, variance for which has been granted this day under Cal. No. 168-58-BZ; that such premises to be used for parking shall be leveled substantially to the grade of Ashford Street and surfaced with gravel or cinders and treated with a binder and properly rolled; that there shall be erected on the lot lines a woven wire fence of the chain link type on a masonry base with no openings therein except three openings as shown to Ashford Street, each 15 feet in width with curb cut opposite, not exceeding such width; that the gates to the premises shall be maintained and kept closed on Sundays, holidays and after hours when the store referred to herein is not open for business; that a sign may be maintained at each entrance not exceeding 10 square feet attached to the fence not extending beyond the building line and not illuminated advertising the parking use limited to patrons and employees; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require; and that all work shall be completed after the construction and opening of the store above referred to within six months thereafter and a Certificate of Occupancy shall be obtained.

182-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Cedric Realty Co., Inc., owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under Sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, store, utility room, parking and storage of more than five (5) motor vehicles on the unbuilt portion of the plot with signs, show windows and curb-cuts within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—210-212 Avenue A and 501-505 East 13th Street, northeast corner, Block 407, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper.. 4

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the public hearing was held on this application on July 22, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a local retail use, B area, class 1½ height district; Avenue A and Avenue B are in local retail and restricted retail use, B area, class 1½ height districts; East 14th Street is in a restricted retail use, B area, class 1½ height district; East 15th Street is in local retail and residence use, B area, class 1½ height districts; that as of July 25, 1916, the premises were in a business

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use district and received the present use designation on November 29, 1945; and

WHEREAS, the decision of the Borough Superintendent, dated March 24, 1958, acting on N.B. Applic. No. 147-57, reads:

"1. Proposed gasoline service station, lubritorium, car washing, minor auto repairs, store and utility room; and parking and storage of more than five motor vehicles in open area; located in Local Retail Use District is contrary to 4c of the Zoning Resolution.

"2. Signs, curb cuts and a show window located within 75 feet of Residence Use District is contrary to 7A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 51 feet 9 inches frontage by 96 feet in depth, presently developed with three buildings, designated as buildings A, B and C; that building A is four stories in height of class 3 construction having a frontage of 25 feet, a depth of 42 feet and is presently vacant; that building B is four stories in height, of class 3 construction, having a frontage of 26 feet 9 inches, a depth of 42 feet and is presently vacant; that building C is four stories in height, of class 3 construction having a frontage of 20 feet, a depth of 37 feet and is presently vacant; that it is proposed to obtain a variance for a temporary period of fifteen years in order to demolish the present outmoded buildings and erect a modern gasoline service station consisting of ten 550 gallon gasoline tanks and three dispensing pumps; that the proposed accessory building will be one story in height, of class 3 construction with a frontage of 44 feet, a depth of 27 feet 8 inches and will contain the conjunctive uses of lubritorium, car wash, minor auto repairs, store and utility room; that the open area, not used by the gas station, is proposed for parking and storage of motor vehicles; and

WHEREAS, the applicant states that Department of Building records show that buildings A and B were first altered under Alt. Applic. No. 1010 or 1899 and the uses given as store and three family in each building; that these same buildings were further altered under Alt. Applic. No. 478 of 1907 and the uses given as stores and tenement in each building; that building C is classified as a 1903 old law tenement and the use given as store and three family; and

WHEREAS, the applicant contends that the site occurs in a generally run down neighborhood, badly in need of rehabilitation; that the buildings are boarded up, unused and beyond repair; that the erection of new stores on the site would not be economically feasible as there are sufficient stores now in the area for public requirements; that the site is very high in assessed value and has been in the possession of the present owner since May 29, 1942, and it is therefore mandatory that he be permitted to develop this site with the use as proposed so that he would get an equitable return on his large investment; that the erection of a modern gas station as proposed will remove the present eyesore and lead the way to future development of the affected area; that there are many non-conforming uses within the affected area; and

WHEREAS, the applicant further contends that the signs, curb cuts and show window within 75 feet of the residence use district are necessary and required for the proper operation of the gas station; that adjoining properties cannot be affected inasmuch as they are mostly developed with non-conforming stores; and

WHEREAS, the applicant states that the present owner has held title to the property since May 29, 1942; that the assessed valuation of land is \$60,000 and of the buildings \$5,000 making a total of \$65,000; that the buildings were erected prior to 1890; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e, h and A of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. No. 147-57, Objections Nos. 1 and 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

191-58-BZ

APPLICANT—Robert Gottlieb, for Frank and Bertha Lustig, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of the basement of the present multiple dwelling from offices to bar and restaurant and construct an extension to the rear of the basement and continue the use of the upper floors as a multiple dwelling.

PREMISES AFFECTED—315 East 79th Street, north side, 205 feet east of 2nd Avenue, Block 1542, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin Zlochow.

For Opposition: Nanny Goldberg and C. Michaels.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; East 79th Street and East 80th Street are in residence and retail use, B area, class 1½ height districts; First Avenue and Second Avenue are in a retail use, B area, class 1½ height district; that the site was changed from business use to residence use on August 30, 1956; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1958, acting on Alt. Applic. No. 165-58, reads:

"Repeat A-2. Proposed change of office to bar and restaurant in a residential use district is contrary to Sec. 3 Art. II of Zoning Resolution.

"Repeat A-3. Proposed extension of business in a residential use district is contrary to Sec. 3 Art. II of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 20 feet frontage by 102 feet 2 inches in depth, presently improved with a four story and basement, class 3 multiple dwelling, with business use on the basement floor and four apartments on the upper floors, under Certificate of Occupancy No. 47236; that it is proposed to alter the basement by adding a one story brick extension, 20 feet by 25 feet, and changing the use from office to bar and restaurant; and

WHEREAS, the applicant states that the owner, who is in the restaurant business, desires to open a restaurant in the basement at this location, but the building being only 60 feet in depth, does not allow for an efficient or profitable operation; that by extending the basement 25 feet—60% of unoccupied space—leaving a yard of about 17 feet, the owners would be able to operate properly; and

WHEREAS, the applicant further states that this application is based on Section 7c of the Zoning Resolution to allow the basement extension and change of use as proposed; that all the buildings on the north side of East 79th Street, except No. 305 and No. 325, are now used for business on the basement or first floor; and

WHEREAS, the applicant contends that the proposed extension would in no way affect the light or ventilation of any of the adjoining buildings, nor would the proposed use

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change the character of the neighborhood, which is now about 80% business use on lower floors; and

WHEREAS, the applicant states that the present owners have held title to the property since January 15, 1936; that the assessed valuation of land is \$22,000 and of the building \$8,000 making a total of \$30,000; that the building was erected in 1895; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the change in location of the existing restaurant now on Lot 10 to Lot 9 and to the building therein as owned by the owners *on condition* that the restaurant use shall be limited to the cellar and basement of the building; and the proposed extension hereby permitted for the extension of use, provided there are no windows opening on the side lot line walls upon adjoining premises; that the yard shall be paved; that fences shall be maintained on the side lot lines and on the rear lot lines to the satisfaction of the Borough Superintendent; that above the basement the use of the premises shall be used for the existing Multiple Dwelling use; that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

211-58-BZ

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application April 9, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—726-730 West 187th Street, south side, 100 feet west of Bennett Avenue, Block 2180, Lot 190, Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, West 187th Street, Overlook Terrace, Bennett Avenue and West 186th Street are in a residence use, B area, class 1¼ height district; that there has been no change in height, area and use district since 1916; and

WHEREAS, the decision of the Borough Superintendent, dated March 28, 1958, acting on Alt. Applic. No. 1674-58, reads:

"1. Proposed use as 'Parking of more than 5 Motor Vehicles' is not permitted in a Residence Use District. Art. II, PP. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 171 feet in depth, vacant and below street level; that it is proposed to grade the entire plot to approximately curb level, surface with steam cinders treated with a suitable binder and properly rolled; that it is also proposed to erect a five foot six inch high chain link fence along all property lines, except on the west lot line; install one 12 foot curb cut; attach a non-illuminated rate sign as required by the License Department, not to exceed

four square feet, to the 187th Street fence, inside of the building line, and install a sliding gate at the entrance; that the plot will be properly maintained and will be kept clean, orderly and attractive at all times; and

WHEREAS, the applicant states that the garages along Broadway are filled to capacity and no garage space is available; that the off street parking facilities within the 500 foot area affected by this application, are extremely limited; that no provisions for tenant parking are available in the adjoining apartment houses, which accounts for the excessive amount of day and night street parking; that there will be no daily parking and spaces for parking will be available only on a monthly basis; that it will not be unsightly because only the pleasure type cars will be accepted; that the gate at the front will be kept locked at all times when not in use; and

WHEREAS, the applicant contends that this lot is too small for an apartment house and at this time the owner is unable to use it for a conforming use which would be financially sound; that the previous owner, Irving Weisner, who is the owner of the adjoining apartment house at No. 120 Bennett Avenue at the southwest corner of 187th Street, had held title to this unimproved lot for fourteen years; that his application (the same alteration number) for accessory parking exclusively for his tenants, became too involved; that he sold the vacant lot to the present owner on condition that the tenants of his adjoining apartment house at 120 Bennett Avenue will have first call for the parking space at any time; that as there are 85 tenants in 120 Bennett Avenue and there is room for only 60 parking spaces, very few spaces would be available to others; and

WHEREAS, the applicant further contends that there is an obvious need for safe, protected off street parking; that the subject plot would provide individual spaces for only 60 cars and it would be a great convenience to car owners of the adjoining building, as each would have his own assigned parking space; that although the plot is but 12,000 square feet, it would definitely contribute towards reducing the present traffic congestion; and

WHEREAS, the applicant states that the present owner has held title to the property since March 7, 1958, and that the assessed valuation of land is \$10,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the applicant has stated that this lot will not be opened into or used with the adjoining lot permitted under Cal. No. 379-57-BZ but will be under the same management; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for the parking of motor vehicles of the pleasure car type only *on condition* that the lot shall be leveled substantially to the grade of West 187th Street and surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on all lot lines, including the line separating this lot from the adjoining lot to the west, variance for which was granted by the Board under Cal. No. 379-57-BZ, a woven wire fence of the chain link type erected on a masonry base to a total height of five feet six inches except for one opening to West 187th Street for entrance and exit not exceeding 12 feet in width with curb cut opposite not exceeding 14 feet in width; that such opening shall be fitted with gates which shall be closed when the parking lot is not in operation; that there shall be no connection between this lot and the adjoining lot, No. 189; that such plot may be operated under the same operation; that Lot 190 shall be reserved for parking of cars belonging to the tenants in 120 Bennett Avenue and the

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adjoining multiple dwellings; that during the term of this variance the premises shall be occupied for no other use and no building shall be erected thereon; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to one sign attached to the fence near the entrance advertising the limited parking and storage use for adjoining apartment houses and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed ten square feet and shall not extend beyond the building line and shall not be illuminated; that any retaining wall necessary to equalize the grades shall be constructed at the expense of this owner; that suitable bumpers shall be placed against the fences at least five feet therefrom for protection to such fences; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

218-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Morton Pickman and Jeanette G. Willis, owners.

SUBJECT—Application April 10, 1958—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail use and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, storage, office and sales, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—77-36 to 77-48 (77-40 official) Hewlett Street, west side, 80.02 feet south of 77th Road, Block 8555, Lots 60 and 61, Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 15, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 77th Road and 271st Street are in local retail and residence use, D and F area, class 1 height districts; Union Turnpike and Hewlett Street are in a local retail use, D area, class 1 height district; that as of July 25, 1916, the entire premises were in a class D area district; that the F area classification for that portion of the premises in the residence use district became effective January 27, 1949; that as of July 25, 1916, that part of the premises within 100 feet of Hewlett Street was in a business use district, and on January 21, 1947, the business use classification was removed and a part of the premises was put in a local retail use district and a residence use district; that the present local retail use designation that bisects the block, and for a depth of 115 feet in from Hewlett Street, became effective May 13, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated March 12, 1958, acting on N.B. Applic. No. 374-58, reads:

"1. Proposed gasoline service station, lubritorium, car wash, storage, office and sales, minor auto repairs and parking and storage of motor vehicles in open spaces in the Local Retail use portion of a plot located in a Local Retail and Residence use district, is contrary to Article II, Section 4c of the Zoning Resolution.

"2. Proposed ground signs in a Local Retail use district is contrary to Section 4c of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist

of a plot, 165.11 feet frontage by 115.25 feet in depth, presently vacant; that it is proposed to obtain a variance for a temporary period of fifteen years in order to erect a modern gasoline service station consisting of twelve 550 gallon gasoline tanks and six dispensing pumps; that the contemplated accessory building will be one story in height, of class III construction, with a frontage of 60 feet and a depth of 30 feet, and will contain the conjunctive uses of lubritorium, car wash, storage, office and sales and minor auto repairs; that a part of the open area will be reserved for parking and storage of motor vehicles; and

WHEREAS, the applicant contends that the site is located on a marginal street adjoining Nassau County, which limits the use of this property for a conforming use as would normally be found in a local retail use district; that the residential area is completely built up with small one family homes, and inasmuch as there are more than sufficient stores within the area to satisfy the needs of this community, the erection of additional stores would not be economically sound; that the land is high in assessed value so that it is mandatory for the owner to erect the proposal in order to maintain this property and continue to pay City taxes; that the building will be colonial in design and will be in keeping with surrounding architecture; that a 20 foot landscaped planted area is proposed adjoining the residence use district; that this landscaped area will act as a buffer between the proposal and the adjoining properties to the west; that the entire service station will be enclosed in a five foot six inch woven wire fence; that the dispensing pumps will be set 15 feet back of the street building line which will provide ample protection for any passing pedestrians and will also keep the cars being serviced off the side walk; that the curb cuts will be limited to three 30-foot cuts on Hewlett Street; and

WHEREAS, the applicant states that the present owners have held title to the property since May 3, 1955, and that the assessed valuation of land is \$20,100; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7e for a term of fifteen years to permit the premises, lots 60 and 61, to be occupied as a gasoline service station and uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received April 10, 1958," 3 sheets, on condition that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Hewlett Street; that the premises shall be constructed as indicated on plans above cited; that the accessory building shall be of the design and construction as shown on such plans, without cellar and faced on all sides with face brick and located where indicated on the plot plan not nearer than 20 feet from the rear lot line or 25 feet from the side lot line to the west as shown; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line of Hewlett Street; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that on all lot lines except the street building line there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than five feet six inches in height; that curb cuts shall be restricted to three curb cuts each not over 30 feet in width to Hewlett Street, where shown, and with no curb cut nearer than five feet to a side lot line as prolonged; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that planting shall be maintained where proposed toward the rear with a separating curbing at each side of the accessory building to the

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lot line; that such curbing shall be not less than twelve inches in height and six inches in width; that such landscaping shall be of suitable planting materials and shrubbery; that under Section 7h there may be parking and storage of motor vehicles of the pleasure car type only so parked where they will not interfere with the servicing of the station; that under Section 7i there may be minor repairs with hand tools only for adjustments maintained solely within the accessory building; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection within the building line where shown of two post standards each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such signs to extend beyond the building line for a distance of not more than four feet; that such fences on the side lot lines shall be fitted with masonry posts for fence support at the lot lines and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

236-58-BZ

APPLICANT—Harry A. Yarish, for Alex Fastow, owner.
SUBJECT—Application April 14, 1958—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a business and unrestricted use district, the change in use from theatre and sale of used cars to automatic auto laundry and parking of cars awaiting service.

PREMISES AFFECTED—802-812 4th Avenue and 161-171 28th Street, northwest corner, Block 660, Lot 39, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish.

For Opposition: Guy James Margoro.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,

Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 27th Street and 28th Street are in business and unrestricted use, B area, class 1½ height districts; 4th Avenue is in a business use, B area, class 1½ height district; 3rd Avenue is in an unrestricted use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1958, acting on Alt. Applic. No. 223-58, reads:

"1. Proposed change of occupancy, on a plot which is partly in a Business and partly in an Unrestricted Zone, to be used for automatic auto laundry, parking and storage for more than 5 motor vehicles on vacant portion of ground, and sale of new and used motor vehicles on vacant ground is contrary to Article II, PP. 4a, subsection 52 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 133 feet 4 inches frontage by 115 feet in depth; that it is proposed to remove the marquees at the front of the building, make minor alterations, install mechanical auto washing equipment and use the building as an automatic car washing laundry; and

WHEREAS, the applicant states that the building was purchased June 15, 1956, and on June 29, 1956, was leased out for ten years for an annual rental of \$7,200; that on July 24, 1957, the lease was abandoned because expenses far exceeded the income; that on May 23, 1957, the theatre was rented on a monthly basis for \$100 per month for the

reason that an occupied building would save the building from vandalism and deterioration; and

WHEREAS, the applicant further states that the building is listed with real estate brokers and the only inquiries were for gas stations or auto laundries; that the owner is now in possession of a lease for an automatic auto laundry subject to approval of the premises for use by the Board; that it is now nine months since the lease for the theatre was abandoned and there have been no offers or request for conforming uses; that the vacant portion was recently rented for parking of automobiles and the lease was also abandoned two months later because the business expense exceeded the income; that the theatre has outlived its usefulness and the condition spells out a case of hardship which the Board is requested to consider; and

WHEREAS, the applicant states that the premises is in the hands of the Sunset Park Realty Co., for sale or rent; that up to the present time there have been no offers for such conforming uses as store, office, factory, warehouse, etc.; that they now have a bona fide contract for a twenty year lease for an automatic car laundry, subject to the approval of this application; that following is a list of income and expenses:

Expenses:

Assessed valuation	\$55,000	Taxes	\$2,260
1st mortgage	25,000	Interest	1,250
2nd mortgage	15,000	Interest	900
Fire and Liability Insurance			1,250
Miscellaneous			500
Total Expenses			\$6,160

Income:

Annual rent of theatre	\$1,200
Annual rent of used car lot	1,200
Total Rent	\$2,400
Annual Deficit	\$3,760

that the above facts spell out a definite case of difficult hardship; and

WHEREAS, the applicant contends that the proposed use will not change the appearance of the area since the building will remain substantially as it now is; that the character of the affected area is definitely established, to wit: that there are no vacant lots on 4th Avenue; two 20 foot vacant lots and five 25 foot vacant lots on 28th Street; two 20 foot vacant lots on 27th Street; that there is now within the affected area such non-conforming uses as a gas station on the southeast corner of 4th Avenue and 28th Street, a gas station on the northwest corner of 4th Avenue and 29th Street and a lumber yard on the southwest corner of 4th Avenue and 29th Street; that also within the affected area is a factory building in block 668, lot 39; a lumber yard in block 668, lot 29; a garage in block 664, lot 48; lumber yard in block 664 lots 22 and 24; a two story factory building in block 664, lot 29; garage in block 660, lot 25 and a warehouse in block 655, lot 12; that there will be room for at least 25 autos in waiting for service within the premises, so that pedestrians and road traffic will not be interfered with; that cars will be dried before leaving the premises and no service will be carried on outside of the laundry building; and

WHEREAS, the applicant states that the present owner has held title to the property since June 15, 1956; that the assessed valuation of land is \$25,000 and of the building \$30,000 making a total of \$55,000; that the building was erected in 1916; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board has received a letter from the owner stating that this proposed automatic laundry for cars would be open on Sunday and that he wanted to drive the cars outside the building and onto the sidewalk for drying, and under those conditions the Committee did not recommend the granting of the application; and

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WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. No. 223/88, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

238-58-BZ

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corp., owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under Section 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing two-story building from offices and storage of sheet metal supplies to motor vehicle repair shop for minor body and fender repairs and touch up spraying on the first floor and the use of the second floor for the manufacture of women's wear.

PREMISES AFFECTED—3345 Webster Avenue, west side, 301.9 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958, after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East Gunhill Road and Webster Avenue are in a business use, C area, class 1¼ height district; Decatur Avenue is in business and residence use, C area, class 1¼ height districts; East 209th Street is in a residence use, C area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 1, 1958, acting on Alt. Applic. No. 1211-57, reads:

"1. In a business use district the proposed auto repair shop is contrary to Sec. 4a (29) Z. R."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 90 feet in depth, occupied by a building erected in 1927 as a one story building; that the second story was added in 1950 and was used for the storage of sheet metal supplies and office in accordance with Certificate of Occupancy No. 8835 which was issued April 17, 1951, several years prior to the present ownership; that it is proposed to permit the use of the first floor for minor body and fender repairs and touch-up spraying; and

WHEREAS, the applicant states that the property adjoining to the north was a vacant lot, on which is now being erected a gasoline station, lubritorium, car wash, minor repairs, office, store room and parking of more than five cars, granted by the Board under Cal. No. 37-41-BZ, Vol. II on April 9, 1957; that the southwest corner of Webster Avenue and Gunhill Road contains a two story store and factory building, and the northwest corner contains a gasoline station, and there are public garages on both sides of Webster Avenue north of Gunhill Road; that the properties adjoining to the south on Webster Avenue are two 3-story frame structures built on top of the rock formation and are reached

by wood steps leading up from Webster Avenue, the yard level being above the roof of the premises under appeal; that the building immediately adjoining the subject site to the south—lot 134—was taken over by the City in 1953; that opposite, on Webster Avenue, are several old frame structures used for stores, office and tinsmith and roofing supplies, and behind these structures are the tracks of the New York Central Railroad Company and the Bronx River Parkway; that on the west side of Webster Avenue, south of subject property—lot 140—is a one story building locked up at present, formerly used as an automobile repair shop, and there is no other construction for several blocks on this side, while on the east side of Webster Avenue, south of this plot, is a vacant lot—block 3357, lot 135—and south of this plot on the same block is a public garage; and

WHEREAS, the applicant further states that the owner conducts the County Appraisal and Adjustment Service on the first story of the premises under appeal and represent several automobile insurance companies as adjuster of claims for body and fender damage, and it is only when the insurance allowance cannot be agreed upon that they take in the car and do the work themselves, with never more than three or four cars at any one time; that they do not cater to the public or transient trade and do not use any power tools nor perform any motor work, using only acetylene torch and the compressor for the touch-up spraying, and do not do any complete painting of cars; that they were compelled to vacate the premises they formerly occupied on Boston Road due to the installation of new sewers and re-paving, which blocked the street with excavated materials, etc., from March 1957 for several months; that they could not find a suitable location until they finally found the premises under appeal, which appeared to have been constructed for motor vehicle use, with curb cut, lift doors, etc., and was in the midst of other garages, gas stations, and therefore assumed that they could use it for their business; that the second floor is rented to a manufacturer of women's wear, which is permitted in this business use district; and

WHEREAS, the applicant contends that since the only adjoining premises on the Webster Avenue level is the gas station now under construction, and since the adjoining buildings on the south and west sides are on the rock ledge and high above the premises under appeal, a grant of this variation would not add any more objectionable features than now exist from the "L" station on Webster Avenue, the heavy automobile traffic on the Avenue, plus the noises of the New York Central Railroad trains and the Parkway traffic; and

WHEREAS, the applicant states that the present owner has held title to the property since November, 1957; that the assessed valuation of land is \$5,000 and the building \$13,000 making a total of \$18,000; that the building was erected in 1927 and 1950; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7i, to permit the change of use in the existing two-story building for motor vehicle repairing and touch-up spraying on the first floor and the second floor the manufacture of women's wear *on condition* that the building shall not be increased in height or area; that the occupancy of the street floor shall not exceed the proposed use as above described; and in all other respects shall comply with all laws, rules and regulations applicable thereto other than as required in resolution adopted this day under Cal. No. 239-58A; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

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239-58-A

APPLICANT—Herman E. Horwood, for 3345 Webster Avenue Corporation, owner.

SUBJECT—Application April 18, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—3345 Webster Avenue, west side, 201.98 feet south of East Gunhill Road, Block 3355, Lot 132, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 1, 1958, on Alteration Application 1211/57 reads:

"1. In a business use district the proposed auto repair shop is contrary to Section 4a(29)Z.R. On the first floor the proposed wicket door is not acceptable as a required means of egress by Section 270 of the Labor Law. On the 2nd floor the proposed fire escape is not acceptable as a required means of egress by Section 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is 2 stories, 24 feet 4 inches in height, 50 feet front by 42 feet 8 inches in depth of class 3 construction, erected in 1927 and 1950 located on a lot 50 feet front by 90 feet in depth in a business use, C area, Class 1½ height district, and used and occupied since 1957 as follows: basement—motor vehicle repair shop, 4 persons; first floor—factory (needle trades), 20 persons; no change in use or occupancy is now proposed; the building is provided with 1 interior 45 inch wide steel stairs enclosed in fire proof blocks equipped with fire proof self closing doors and leading direct to street and provided with a ladder and scuttle to roof; and

WHEREAS, Certificate of Occupancy No. 8835 issued April 17, 1951, against Alteration Application 457/50, describes the building as a 2 story building and permits the following use and occupancy: first floor—storage of roofing and sheet metal supplies, 5 persons; second floor—120 pound live load, storage of roofing and sheet metal supplies and office—5 persons; and

WHEREAS, Violation No. C-999 of 1957 issued April 16, 1957, was for installing new windows at North lot line wall without having filed plans and obtained a permit therefor; at the time of issuance of such violation the building was vacant; and

WHEREAS, Zoning Violation No. 94-57 issued December 20, 1957, was for violation of Section 4 of the Zoning Resolution, or occupying the building as a motor vehicle repair shop and factory contrary to the Zoning Resolution and also constituting a hazardous condition; and

WHEREAS, the owner was convicted and fined April 15, 1958, in Municipal Term Magistrate's Court, The Bronx, on a charge of Violation of the Building Code; and

WHEREAS, the board is in receipt of a certificate dated May 2, 1958, by the Borough Superintendent, Department of Buildings, pursuant to Section 668 subdivision c of the Charter in that a stay in the pending proceedings would cause imminent peril to life and limb; and that violation number C 2843-57 directs the discontinuance of the first floor for auto repair shop, 1 open flame salamander, 2 acetylene units, spraying being done on open floor; second floor—20 persons at work manufacturing dresses; no secondary means of egress; 3 rear windows obstructed with heavy mesh wire (stationary); exit lights not lighted.

The Borough Superintendent's certificate also states that

the inspector reports that the occupancy is a fire hazard; and

WHEREAS, the applicant states that the building was erected in 1927 as a one story structure and the second story added in 1950; that the first floor is used for minor body and fender work on automobiles and is subject to an application pending before the board for a zoning variance on the Cal. No. 238-58-BZ; and

WHEREAS, the applicant contends as to objection 2 issued by the Borough Superintendent, that the primary exit from the first story is a doorway from the office to the street with a door from the shop into the office; that the secondary means of egress from the first story is either of two large overhead doors at the front; that it is proposed to cut a wicket door at the south end of the southerly door; and

WHEREAS, the applicant contends that since there are only 2 persons in the office and 2 in the shop that the proposed wicket door would be adequate as a second means of egress; and

WHEREAS, the applicant contends as to objection 3, issued by the Borough Superintendent, that the primary exit from the second story is a fire proofed enclosed steel stairway to first floor with fire proof self closing door at second story level and a scuttle and iron ladder to the roof; and

WHEREAS, the applicant contends that as a secondary exit from this floor will be a proposed 45 degree fire escape with a fire proof self closing casement door with steps leading thereto and counter balance stairway to street; and as the occupancy of the second floor will not exceed 20 persons and as the building would be legal if it were erected before 1913, that the proposed means of egress could be accepted as compliance; and

WHEREAS, the applicant states that the first story ceiling is fire retarded with plaster boards and metal; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 1211/57, Objection No. 1 and that the appeal be and it hereby is *granted, on condition* that the primary means of exit shall be maintained as shown on plans marked, "Received April 18, 1958," 6 sheets; that there shall be erected on the front of the building a fire escape balcony with counterbalanced drop ladder to street and with steps and casement door as a means for access thereto; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto as required by resolution adopted this day under Calendar Number 238-58-BZ and that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require.

249-37-A

APPLICANT—John F. Fitzsimons, for Dereshun Realty Company, Inc. owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Appeal from a decision of the Borough Superintendent; previously granted on condition, for a term of years.

PREMISES AFFECTED—179-15 Grand Central Parkway, north side 106 feet east of Tudor Road, Block 7239, Lots 78 and 82, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

ACTION OF BOARD—Appeal reopened, and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

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THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 15, 1937, on certain conditions; and

WHEREAS, the term of variance was extended on September 16, 1952; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 15, 1937, as thereafter amended by resolution adopted on September 16, 1952 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted for a term of five years from the date of this amended resolution, that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained as passed on by the Borough Superintendent, Alt. Applic. 21/1953 under date of July 14, 1958, Objection No. 1, and as indicated on Certificate of Occupancy Number 86957, issued February 2, 1953 and expiring September 15, 1967 on condition that the premises shall be maintained to the satisfaction of the Department of Hospitals."

914-52-A—Vol. II

APPLICANT—Hurley and Hughes, for Arbon Realty Corp. and West 38th Street Corp., owners.

SUBJECT—Application reopened December 3, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—60-64 West 38th Street, south side, 141 feet, 8 inches east of Avenue of the Americas, Block 839, Lots 79 and 80, 5th and 6th floors, Borough of Manhattan.

APPEARANCES—

For Applicant: Edward J. Hurley.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough superintendent dated October 14, 1957 on Alt. Applic. 1223/57, reads:

"1. Proposed addition of 5 and 6 floor areas on class 3 building, commercial use (factory), is not permitted—C26-254.O A.B.C.

2. Provide 2 interior, enclosed stairs to street and roof—C26-273.0.

3. Existing interior stair is enclosed by one hour material; should be incombustible and have 2 hour enclosure—C26-292.O."

and

WHEREAS, the applicant states that the building is 4 and 6 stories, 45 feet and 65 feet in height, 62 feet 6 inches front by 98 feet 9 inches in depth at street level, 88 feet 9 inches in depth at typical floor level, of class 3 construction, erected prior to 1912, located in a retail use, B area, class 2 height district, and used and occupied since 1912 as follows: Cellar—boiler room and storage; mezzanine—offices; 1st floor—stores (packing and shipping of textiles), 20 persons; 2nd floor—offices, showroom, packing and shipping of textiles, 30 person; 3rd floor—offices and assembling of millinery ornaments and manufacturing of hats, 30 persons; 4th floor—manufacturing novelties, embroidery, packing and shipping of textiles, 68 persons; 5th floor—office and manufacturing of hats, 30 persons; 6th floor—office and manufacturing of millinery supplies and embroidery, 30 persons; that the building is proposed to be increased to 6 stories, 65 feet throughout, and used and occupied without change on the cellar through 4th floors and the 5th floor and 6th floor as proposed to be extended, the occupancy will be increased to 40 persons throughout each floor; that

the building is provided with two-source sprinkler system throughout, one 3 foot 8 inch wide interior steel stairs masonry enclosed and equipped with kalamein self-closing doors and leading from roof bulkhead direct to street; that one fire escape on the rear extending to roof by ladder with fireproof passage at its lowest termination to main stair with egress then to the street; that windows and door openings on the course of the fire escape, are fireproof self-closing; and

WHEREAS, Certificate of Occupancy #42868 issued July 12, 1954, against Alt. Applic. 1720 of 1952 approved pursuant to variance granted by the Board under Calendar Number 914-52-A permits the following use and occupancy; Cellar—boiler room and storage, number of persons not stated; 1st story—stores, 20 persons; mezzanine—offices, 20 persons; 2nd story—offices, showroom and factory, 30 persons; 3rd story—offices, showroom and factory, 30 persons; 4th story—offices, showroom and factory, 68 persons; 5th story—offices and factory, 30 persons; 6th story—offices and factory, 30 persons; that this certificate contains the following notes:

"Factory use limited to type permitted in a retail district under the Zoning Resolution.

Not more than 25% of the total floor area of the building may be used for manufacturing purposes."

and

WHEREAS, the applicant states that the purpose of this appeal is to increase the floor area of the 2 top floors by 50%; that the additional space on each floor (is 1600 square feet) will be separated from the existing 3300 square foot space by a 12 inch brick wall equipped with fire doors; and

WHEREAS, the applicant contends as to Objection #1, that the height of the building will not be increased as the roof of the 4 story wing will be raised to the height of the existing 6 story main building; that the area 5th and 6th floors will be the same as the area of the lower floors; that as to Objection #2, that the existing stair is 3 foot 8 inch wide enclosed in fireproof partitions; that the secondary egress is a Labor Law fire escape; that the total floor space of the building will be increased only 10%; that the total occupancy is low, being only 228 persons or one for each 140 square feet; that the building is equipped with a two-source sprinkler system and a manual fire alarm connected to the sprinkler system and to the automatic fire alarm company service; and

WHEREAS, the applicant contends as to Objection #3, that the existing interior stair is enclosed in fireproof enclosure, having a 2-hour rating; that in view of the low occupancy and the fact that the manufacturing is confined to less than 25% of the floor area and the fact that each floor is subdivided into 2 fire areas and fully sprinklered and all other requirements of the Labor Law and Building Codes will be complied with; that a variance is requested to permit this additional floor area to be constructed and the Board is therefore requested to modify Objections 1, 2 and 3 issued by the Borough Superintendent.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 5, 1953, by adding thereto:

"that in the event the owner desires to extend the building by increasing the area to include new 5th and 6th floors and to alter the building as extended to six stories in height as shown on plans filed with this appeal, marked 'Received November 18, 1957', 9 sheets, as acted on by the Borough Superintendent under Alt. App. 1223/57, Objections 1, 2, and 3, such extension may be permitted, provided such extension complies in all other respects with the Building Code and all other laws, rules and regulations applicable thereto; and that the two-source sprinkler system in the building shall be extended to include such floors; and that the occupancy of the building shall comply with the Zoning Resolution as to the amount of manufacturing permitted; and that a new certificate of occupancy shall be obtained."

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798-54-A—Vol. II

APPLICANT—Jacob Lubroth and Son, for Cohn Brothers Furniture Corp., owner.

SUBJECT—Application reopened December 17, 1957 as Vol. II—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—4701 5th Avenue and 506-512 47th Street, southeast corner, Block 766, Lot 8, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Lubroth.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated November 6, 1957 on Alt. Applic. 2288/54, reads:

"1. Resubmit to the Board of Standards and Appeals change of stairways, which varied from that approved by the Board."

and

WHEREAS, the applicant states that the building is 2 stories, 24 feet 10 inches in height, 25 feet 2 inches front by 100 feet in depth at street level, 25 feet 2 inches front by 80 feet in depth at typical floor level, of class 3 construction, erected 1915, located on a plot 25 feet 2 inches front by 100 feet in depth, in a business use, C area, class 1 1/4 height district, and used and occupied since 1946 without a certificate of occupancy as follows: Cellar—furniture store, no persons; 1st floor—furniture store, 3 persons; 2nd floor—furniture store, no persons; that it is now proposed to be used and occupied as follows: Cellar—furniture showroom, no persons; 1st floor—furniture store, 3 persons; 2nd floor—furniture showroom, no persons; that the building is provided with one 3 foot 2 inch wide interior wood stairs enclosed in partitions of wood, stair leads direct to street and is provided with a ladder and scuttle to roof; that there are no doors in the stair enclosure; that in addition there is one fire escape on 47th Street leading to street by ladder; that windows and doors opening on the course of the fire escape are fireproof self-closing; and

WHEREAS, the applicant requested an amendment to the Resolution adopted by the Board under Calendar Number 798-54-A, Volume I, to permit a change from a fire retarded stair enclosure at the rear to a masonry enclosed iron stairway from 2nd floor down to the cellar, to be erected at the rear of the building, as indicated on revised plans filed with this application for amendment; and

WHEREAS, the applicant states that all other conditions of the Board's Resolution will be complied with.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 7, 1955, by adding thereto:

"that the stairways may be rearranged, as passed on by the Borough Superintendent, under Alt. Applic. 2288/54, Objection 1, dated November 6, 1957, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that the building shall not be further increased in height or area."

475-55-A—Vol. II

APPLICANT—Harry A. Yarish, for Mar-Rin Realty Corp., owner.

SUBJECT—Application reopened February 25, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re Class III construction increase in height—

increase in number of beds, Nursing Home.

PREMISES AFFECTED—

953-957 Putnam Avenue, north side, 100 feet east of Ralph Avenue, Block 1483, Lot 64, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated January 17, 1958, on Alt. Applic. 1584/55, reads:

"1. The proposed increase in height from one to three stories and the proposed increase in length and location of the extension in the west court is contrary to the Resolutions of the Board of Standards and Appeals. 1039-23-BZ as amended February 28, 1956 and 475-55-A.

2. The erection of the extension of Class III construction to a height exceeding 1 story is contrary to Section 4.2.1 of the Building Code.

3. The increase in the number of beds as proposed from 87 beds to 110 beds is contrary to the Resolution of the Board #475-55-A."

and

WHEREAS, the applicant states that the building is 3 stories, 40 feet in height, 40 feet by 90 feet in area, of class 3 construction, erected in 1926, located on a lot 75 feet front by 100 feet in depth, in a residence use, C area, class I height district, and now vacant, and proposed to be used and occupied as follows: Cellar—nursing home; 1st, 2nd and 3rd floors—nursing home, 30 beds on the 1st floor, 40 beds on the 2nd and 40 beds on the 3rd; that the total number of nurses and attendants for all floors will be 40 persons; that the building will be provided with a one-source sprinkler system, one interior 4 foot 2 inch wide metal stairs enclosed in fireproof partitions, equipped with fireproof self-closing doors, and leading from roof bulkhead direct to street; that one fire escape on the rear extending to roof by stair and to yard by stair with egress through side court to street; that window and door openings on the course of the fire escape will be fireproof self-closing; and

WHEREAS, the Board on February 28, 1956, under Calendar Number 475-55-A, Volume I, modified a decision of the Borough Superintendent on Alt. Applic. 1584/55, to permit the use of the building as a nursing home, including a one story and cellar, masonry extension, 17 feet 6 inches front at the westerly side of the building; and

WHEREAS, plans filed with this appeal indicate that it is now proposed to construct the westerly extension to a height of 3 stories, in masonry construction; and

WHEREAS, the applicant states that the occupancy of the building will be as follows: Cellar—10 employees; 1st floor—10 employees and 30 beds; 2nd floor—10 employees and 40 beds; 3rd floor—10 employees and 40 beds; that the proposed extension will be rearranged, increased in height from one to three stories with no increase in area; that the increase in height will not affect the light and ventilation of the premises; that an automatic interior fire alarm system and sprinkler system will be installed and maintained throughout the building; that the rear yard and east court will remain unaltered, as it was previously accepted by the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 28, 1956, to permit the increase in height as proposed of a portion of the building formerly permitted to be one story in the west court and increase the number of beds from eighty-seven to one hundred and ten (110) on condition that in all other respects the resolution above cited shall be complied with.

296-57-A

APPLICANT—George J. Steigerwald, owner.

SUBJECT—Application April 15, 1957—Appeal from an order of the fire commissioner, re use of premises as storage garage.

PREMISES AFFECTED—21-23 Coenties Slip, west side,

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30 ft. south of Front Street, Block 5, Lot 17 (formerly 17 and 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Fischer.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, Order #1463-7 issued by the Fire Commissioner, March 12, 1957 and reissued April 12, 1957, reads:

"Re:—Storage Garage (4-550 gasoline tanks)
(15 motor vehicles)

Before a permit for the purpose indicated above may be issued to you, the following order must be complied with. Kindly notify this Department when such order has been complied with.

1. Discontinue the use of above premises for storage garage, until this Department receives evidence from the Department of Buildings that a Certificate of Occupancy has been issued for the above purposes. C19-65.0 Adm. Code.

2. Submit evidence indicating use of storage garage prior to use of adjoining building, God's Lighthouse, Inc. of Coenties Slip. C19-11.0 Adm. Code."

and

WHEREAS, the applicant states that the building is 1 story, 16 feet 6 inches in height, 54 feet front by 45.4 feet in depth, of class 3 construction, erected May 16, 1946, on a lot 54 feet front by 45.4 feet in depth, in an unrestricted use, B area, class 2½ height district; that the premises have been used since December 22, 1939, as follows: Storage garage for more than 5 motor vehicles, automobile repair shop, with not more than 5 employees; and

WHEREAS, Certificate of Occupancy #25684 was issued January 23, 1940, against Fire Prevention Application 270/39 and Drop Curb Application 82/30 describing the building as a commercial occupancy and permitting the following use: Gasoline service station with parking for more than 5 motor vehicles; that this certificate contains this statement;

"One (1) 550 gallon gasoline tank approved by the Fire Department, January 12, 1940."

and

WHEREAS, Violation Number 9481 was issued December 28, 1953 by the Department of Housing and Buildings, for violation of Section C26-183 of the Administrative Code in that the premises are occupied as a garage for the storage of motor vehicles without obtaining a certificate of occupancy as required by law; and

WHEREAS, the applicant states that the owner has sought the removal of the violation issued by the Department of Housing and Buildings, by applying for a certificate of occupancy which application will be approved and a certificate of occupancy issued upon reapproval of the gasoline tank installation; that Alteration Application 1834/53 was amended November 20, 1956 and November 26, 1956 and approved by the Department for the use of the premises as a storage garage for more than 5 motor vehicles, wherein gasoline and oil are sold, and motor vehicles repair shop having not more than 5 employees; and

WHEREAS, the applicant contends that on November 29, 1956 an application for certificate of occupancy was filed and the Fire Department was requested to reapprove the gasoline tank installation; that the Fire Department under date of January 1957, disapproved the gasoline installation stating no reason for its action, although said installation had been approved under Miscellaneous Application 270/39, completed January 4, 1940 under Fire Prevention Application 4074/47, approved October 23, 1947 and Fire Prevention Application 1517/49, approved August 18, 1949; and

WHEREAS, the applicant contends that there has been no change in the gasoline installation other than approved application and the only thing now required is reinspection by the Fire Department; that no objection was raised by

the Department of Buildings with respect to the issuance of the certificate of occupancy; that the Fire Department by its refusal to reapprove the gasoline tank installation is preventing the issuance of the certificate of occupancy; and

WHEREAS, the applicant contends as to Item 2 of the Fire Commissioner's Order, that certified documentary evidence has been submitted to the Fire Department, backed by the records of the Department of Buildings, proving that there was erected on these premises about October, 30, 1939, 2 buildings, one a corrugated steel garage with a concrete floor, and the other a frame office building; that the entrance to the premises was by legal curb cut through a chain link wire fence which completely enclosed the property; that the gasoline tank and pump installation had been made before the erection of these buildings; that additional changes were made in the tanks after the 1 story garage building now on the premises had been erected; that the use of the premises as a gasoline service station and parking for more than 5 motor vehicles was approved by Certificate of Occupancy #25684 issued January 23, 1940; that God's Lighthouse, Incorporated, a mission, was not organized until March 7, 1940 and did not purchase the property adjoining until September 3, 1941, and did not receive a certificate of occupancy for the premises until October 11, 1943; that the Fire Department has also failed to take cognizance of the fact that Combustible Permits were issued by it to owner's premises, both before the present occupancy of the adjoining premises, and without interruption for over 14 years; that this appeal arises from the fact that the Fire Department has failed to act in accordance with the request of the Department of Buildings; that it has ignored its own previous approvals of installations on the premises; that it has arbitrarily asked for evidence of the existence of a storage garage on owner's premises prior to the present occupancy of the adjacent premises; that it is well aware of the fact that the pre-existing uses of owner's premises were lawful and approved both by the Fire Department and the Department of Buildings; that the records of the Fire Department show that the adjacent premises was not so occupied at the time of initial approval of owner's premises; that it is the owner's contention that the premises have suffered and will suffer considerable depreciation in sale and rental value; that the owner will and has already sustained considerable loss thereby; and by reason of possible court fines for a failure to obtain a certificate of occupancy, although same has been duly applied for; and

WHEREAS, the applicant states that the requirements governing gasoline service stations and storage garages, as set forth in Sections C 19-73.0 and C 19-65.0, respectively, are the same as to conditions for establishment; that since evidence has been presented of the valid pre-existing uses of the premises; that the Board is therefore requested that the application be granted.

Resolved, that the decision of the Borough Superintendent, dated April 12, 1957, acting on Order #1463/7, be and it hereby is modified and that the appeal be and it hereby is granted, to permit the existing gasoline selling equipment, as indicated on plans filed with this appeal, marked "Received April 15, 1957, 2 sheets, and "April 17, 1958", 1 sheet, on condition that the gasoline dispensing equipment shall not be increased and that a certificate of occupancy shall be obtained.

313-57-A

APPLICANT—Addie Vallins, Inc., owner.

SUBJECT—Application April 17, 1957—Appeal from an order and a decision of the Borough Superintendent, re interior fire alarm system.

PREMISES AFFECTED—40 West 170th Street, northwest corner of Cromwell Avenue, Block 2871, Lot 94, Borough of The Bronx.

APPEARANCES—

For Applicant: J. D. Assail.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, Order Number 7442-6 issued by the Fire Commissioner, November 8, 1956, reads:

"An inspection of the above premises shows that a fire drill should be established and maintained therein according to the requirements of Section 279 of the Labor Law specifically charges the Fire Commissioner with the duty of enforcing the provisions of the law, as to fire drills.

"This law also holds the owner of such premises responsible for the proper supervision and maintenance of fire drills. It is therefore your duty to organize and maintain a fire drill in the above premises in accordance with the rules and resolutions of the Board of Standards and Appeals.

"A record of such drills, including the name and number of each certified drill conductor engaged in conducting each drill, the date of each drill, and the number of persons taking part in each drill, shall be transmitted by you or your representative to this office semi-annually.

"All forms necessary will be furnished to your authorized representative when he calls at this office for a Certificate of Fitness as a drill conductor.

"2. Install an adequate electric closed circuit interior fire alarm system of an approved type in accordance with the Interior Fire Alarm Rules of the Board of Standards and Appeals."

and

WHEREAS, the decision of the Fire Commissioner, dated March 19, 1957, reads:

"In reply to your letter of February 21, 1957, which has been delayed pending court action you are advised that the Fire Commissioner is without authority to grant an extension of time to comply with the mandatory provisions of the law. Therefore, your request is denied. You may, however, appeal this decision with the Board of Standards and Appeals within 30 days."

and

WHEREAS, the applicant states that the building is 2 stories, 18 feet in height, 163 feet by 153 feet irregular in area, class 3 construction, erected 1929, located in an unrestricted use, B area, class 1¼ height district, and used and occupied since 1954: Cellar—boiler room, basement—storage of paper goods and machinery, no persons; 1st floor—manufacturing and retailing of candy, 6 persons; 2nd floor—manufacturing of signs, 14 persons; that no change in use or occupancy is now proposed; that the building is equipped with three 4 foot wide steel and concrete stairs, enclosed with concrete and terra cotta, equipped with steel self-closing doors; that stairhall leads to roof bulkhead and direct to street; and

WHEREAS, Certificate of Occupancy issued January 17, 1946 against Alt. Applic. 468/44 permits the following use and occupancy: Cellar—boiler room; basement—factory and shipping, 45 persons; 1st floor—factory, 50 persons; 2nd floor—factory, 25 persons; and contains a note

"Fire Department approval of premises received January 11, 1946";

and

WHEREAS, there was a conviction and fine in Municipal Term Magistrate's Court on the matter involved herein; and

WHEREAS, the applicant contends that the building is only a 2 story building; that the lower floor is a basement, below the level of 170th Street which is the only entrance to both floors and basement; that even on Cromwell Avenue the major part of the basement floor is below grade; that the basement is used solely for storage purposes; that the basement has two means of egress; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Fire Commissioner dated March 19, 1957, acting on Order No. 7442-6, issued Nov. 8,

1956 be and it hereby is *modified* and that the appeal be and is hereby is *granted* to permit omission of the installation of a closed circuit interior fire alarm of the type approved by the Board and fire drill *on condition* that the occupancy of the building shall not be greater than as proposed, namely, a total for both floors of 25 persons; that the building shall not be increased in height or area and shall in all other respects comply with all laws, rules, and regulations applicable thereto; that the type of factory use shall be as proposed, namely, manufacturing of candy on the first floor and the manufacture of signs on the second floor; that a new Certificate of Occupancy shall be obtained; and that this resolution shall apply only as long as the number of occupants and type of occupancy is maintained, as shown on plans filed with this Appeal marked, "Received April 17, 1957," 4 sheets.

349-57-A

APPLICANT—Herman Kron, for Wallace Furniture Corp., owner.

SUBJECT—Application April 22, 1957—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—507 East 80th Street, north side, 148 feet east of York Avenue, Block 1577, Lot 7, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 16, 1958 on amendment to Alteration Application 1353/55 reads:

"3. Means of egress should comply with Sections 271 and 273 of the Labor Law.

and

WHEREAS, the applicant states the building is 5 stories 50 feet in height, 25 feet front by 90 feet in depth, Class 3 construction, erected in 1897 located in a business use b area Class 2 height district, and used and occupied since 1952 as follows: cellar—boiler room, no persons; first floor—furniture show room, 1 person; second floor—furniture storage, no persons; third floor—factory, furniture finishing, 4 persons; fourth floor—cabinet maker, using no power saws or power planing equipment, 4 persons; fifth floor—factory, assembly of lamps, 4 persons; that no change in use or occupancy is now proposed; that the building is provided with one 3 foot 8 inch wide interior wood stair enclosed in wood studs, plaster boards and 26 gauge metal equipped with fireproof self closing doors; that stairhall leads to roof bulkhead but not to street; that in addition there is a fire escape on the rear extending to roof by ladder with egress from its lower termination at the rear yard through premises 505 East 80th Street, in the ownership of the lessee of the building in question; and

WHEREAS, Certificate of Occupancy #13136, issued October 24, 1927 against Alteration Application #2193/26 permits the use of the building as a laundry and factory with an occupancy of 30 persons per floor; and

WHEREAS, the applicant states that in 1927 the Fire Commissioner ordered unobstructed egress from lower termination of fire escape, in accordance with Section 273 of the Labor Law and the Board under Calendar Number 475-27-S, modified the order so as to permit the fire escape in the rear to be extended with an iron stair to the yard level with egress therefrom and a horizontal egress leading to 509 East 80th Street; and that the building at 509 East 80th Street was sold and is occupied as a laundry and the horizontal exit leading from the building in question to 509 East 80th Street was closed up and a violation issued for doing the work without a permit; that Building Notice 2604 of 1953 was filed to close up the horizontal exit and the Borough Superintendent required the filing of

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an Alteration Application which was done under Alteration Application 1353/55 which is the subject of this appeal; and

WHEREAS, the applicant contends that the present stair is 3 feet wide, of wood construction fire retarded with plaster boards and 26 gauge metal and equipped with fireproof self-closing doors at each floor, this stair leads to the roof; that the existing rear fire escape terminates at the yard level which is the same level as the cellars of 505 and 507 East 80th Street; that it is proposed to create an opening in the wall dividing both yards; that the owner of 505 East 80th Street has given permission to use the rear yard and the building at 505 as an exit from the building in question; that there are existing steps leading from 507 to 509 East 80th Street; that the wooden fence in the rear is low and can be used as a means of egress in addition to that proposed; that the existing certificate of occupancy permits 30 persons per floor and it is now proposed that the occupancy will not exceed 13 people throughout the building; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on amendment to Alt. App. 1353/55, Objection No. 3, and that the appeal be and it hereby is granted, on condition that the means of exit shall be maintained as proposed and shown on plans filed with this appeal, marked "Received April 17, 1957", 1 sheet, and "April 22, 1957", 2 sheets; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that the stairway from the second to the first floor, leading to the street and enclosing partitions, shall be fire-retarded and the door leading thereto from the main portion of the first floor shall be made fireproof, self-closing and the number of occupants shall not exceed thirteen as proposed.

628-57-A

APPLICANT—Continental Can Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Appeal from a decision of the Fire Commissioner and a decision of the Borough Superintendent—re use of Gas-fire oven, not of approved type; previously granted on condition.

PREMISES AFFECTED—50-02 55th Avenue, south side, 50 feet east of 50th Street, Block 2573, Lot 25, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Robert K. Reed.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this appeal was granted by the Board on March 11, 1958, requiring inspection of can spraying machines as approved when installed and operating; and

WHEREAS, inspection was made by a committee of the Board which found the appliances in operation as approved and recommended that the resolution adopted March 11, 1958 be amended by omitting the temporary term; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 11, 1958 by omitting the words:

"And granted temporarily for a term of six months and to reaffirm the resolution as herein amended." (Misc. 427/57)

965-57-A

APPLICANT—Hetkin, Jervis and Hetkin, for Golf House, Inc., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the borough superintendent, re Class 3 construction—public use.

PREMISES AFFECTED—40 East 38th Street, south side, 80 feet west of Park Avenue, Block 767, Lot 43, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Philip L. Winter.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated December 2, 1957, on Alt. Applic. 982/56, reads:

"1. Proposed occupancy on 3rd and 4th floors of 'club rooms' in a class III bldg. is not permitted by 4.2.1 B.C."

and

WHEREAS, the applicant states that the building is 4 stories and basement, 56 feet in height, 25 feet front by 73 feet 1¼ inches in depth at street level, 25 feet front by 62 feet in depth at typical floor level, of class 3 construction, erected prior to 1901, located on a lot 25 feet front by 98 feet 9 inches in depth, in a residence use, B area, class 1¼ height district, and used and occupied since 1951 as follows: Cellar—boiler room and storage, no persons; basement—club rooms and reception hall, 3 persons; 1st floor—club library and staff room, 20 persons; 2nd floor—club, board staff and coat room, 12 persons; 3rd floor—apartment; 4th floor—apartment; that for which use and occupancy Certificate of Occupancy #38492 was issued May 14, 1951 against Alt. Applic. 1208/50; that the building is now proposed to be altered and used and occupied as follows: Cellar—boiler room and storage, no persons; basement—club rooms and reception hall, 8 persons; 1st floor—club library and staff room, 6 persons; 2nd floor—club, board staff, coat room and museum, 6 persons; 3rd floor—club room, 4 persons at front, rear—1 apartment; 4th floor—1 apartment at front and club room rear, 4 persons; that the building is provided with 2 interior 3 foot wide wood stairs, partly fireproof enclosed at basement and enclosed with metal lath and plaster above; that the stair doors are part wood and part fireproof self-closing; that stairhall leads direct to street at west side and is provided with a ladder and scuttle to roof; and

WHEREAS, the applicant states that in 1950 the building was altered so that the lower floors could be used by the U. S. Golf Association and the premises were adapted for use as club rooms, as a golf museum and library for the general use of the U. S. Golf Association incidental thereto; that the 2 upper floors were made available for apartments and Certificate of Occupancy #38492 was issued May 14, 1951; that the building was classified as a converted class A Multiple Dwelling; and

WHEREAS, the applicant contends that the building is of substantial construction; that the basement, 1st floor and 2nd floor formerly a triplex apartment have their own stairway and an additional stairway enters directly from the street at the basement level and serves all floors; that while the stairway enclosure is not classified as fire retarding, it has a separate partition at the basement that is 6 inches thick and is fireproof; that the enclosing partitions are solidly built of lath and plaster; that at the 1st floor one door is fireproof self-closing and the other is a substantial oak door; that the cellar stairs are enclosed in fireproof partitions with fireproof door at the bottom; that all doors to the stairhall are self-closing; that the westerly stairway has been protected with a Multiple Dwelling Law type sprinkler system; that no physical changes are contemplated; that the 2 upper floors are approved for 2 apartments a floor; that it is not intended to make any alteration; that it is proposed

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to use the front apartment on the 3rd floor and the rear apartment on the 4th floor for additional club space; that actually there will not be any more occupants using the club room on each of the 3rd and 4th floors, because of the proposed change; that in view of the limited nature of the changes proposed, the small number of occupants, the protection already afforded, the sprinkler system throughout the stairway and the small area of the building, it is therefore requested that a variance be granted to permit the use of the 3rd and 4th floors as proposed; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 982/56, Objecion No. 1 be and it hereby is *modified* under the powers vested in the Board by Section 310 of the Multiple Dwelling Law, and that the appeal be and it hereby is *granted*, to permit the occupancy of the third and fourth floors as proposed, as club rooms, as proposed and as shown on plans filed with this appeal marked "Received December 24, 1957," 1 sheet, showing a portion of such floors to be used as club rooms and the balance of floors for apartments *on condition* that in all other respects the building and occupancy shall comply with the Multiple Dwelling Law and resolution applicable thereto.

87-58-A

APPLICANT—Donald J. Colasono, for The Greek Orthodox Church of Flushing, owner.

SUBJECT—Application February 28, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, change from residence use to School.

PREMISES AFFECTED—42-67 147th Street, southeast corner of Beech Avenue, Block 5379, Lots 4, 6 and 7, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Milton D. Petrides.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated February 17, 1958, on Alt. Applic. 147/58, reads:

"1—Proposed change in use of a Pastor's house to a school and caretaker's apartment in a frame structure more than one story in height and more than 600 square feet in area is contrary to 4.2.1 of the B.C.

2—Provide public hallway to comply with 6.1.2.4(d-5) and C26-81.0 of the B.C."

and

WHEREAS, the applicant states that the building is 2½ stories, 26 feet in height, 21 feet front by 41 feet in depth at 1st floor, 30.5 feet at 2nd floor, of class 4 construction, erected 1927, located in a residence use, E-1 area, class 1 height district, and used and occupied since 1927: Cellar—storage, boiler room and Pastor's office, 1 person; 1st floor—1 apartment using 1st and 2nd floors combined; attic—storage; that it is now proposed to be used and occupied: Cellar—storage, boiler room and Pastor's office, 1 person; 1st floor—4 classrooms for Sunday School, 44 persons; 2nd floor—caretaker's apartment, 2 persons; attic—storage; that the building is provided with one 3 foot wide interior wood stairs, enclosed in partitions of lath and plaster, equipped with wood doors at exterior only; that stairhall leads direct to street but not to roof; and

WHEREAS, the applicant states that the existing building is now used as a Pastor's residence; that it is of no use to the Church except as a 1 story dwelling; that the Board of Directors purchased another dwelling for the Pastor under the assumption that the existing building could be used for Sunday School classrooms and caretaker's residence; and

WHEREAS, the applicant states that the only work involved would be minor, consisting of converting the 1st floor rooms to a Sunday School with 2 exits; that the 2nd floor could be used without change except that a kitchen would be added and the 2nd floor would be used for caretaker's residence; and

WHEREAS, the applicant contends that to insure the safety of children, adult supervision will be maintained at all times when the building is occupied; that fire extinguishers are located in each room on the 1st floor; that the existing space in the cellar of the Church is inadequate for proper Sunday School facilities; that due to existing financial conditions the Church hopes that it will be able to obtain the use of the building for a Sunday School, as it would be an extreme hardship if the building had to be vacated and of no use to the Church; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated February 17, 1958, acting on Alt. Applic. 147/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be arranged and maintained as proposed and indicated on plans filed with this appeal marked, "Received February 28, 1958", 6 sheets; that the building shall not be increased in height or area; that the occupancy of the building shall be as proposed and granted for a term of one year from the date of this resolution; that the occupancy of the first floor shall be only for the use as proposed, namely for a Sunday School, with the remainder of the building used as a caretaker's apartment; and that on the front and rear exterior stairs there shall be a double handrail adjusted to the height of the children on both sides of the stairs.

261-58-A

APPLICANT—Sol Oberwager, for I.B.M. World Trade Corp., owner.

SUBJECT—Application April 25, 1958—Appeal from a decision of the Borough Superintendent, re signs, in vicinity of United Nations Headquarters.

PREMISES AFFECTED—821 UN Plaza, and 350 East 46th Street, southwest corner, Block 1338, Lot 30, Borough of Manhattan.

APPEARANCES—

For Applicant: Sol Oberwager.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 22, 1958 on E. S. Applics. 261 and 262 of 1958; reads:

"3. Sign not permitted in vicinity of U.N., as per Board of Estimate Cal. No. 141, 1947, D41-28.0(d) Adm. Code."

and

WHEREAS, the applicant states that the building is 11 stories, 124 feet 10 inches in height, 60.5 feet by 100 feet in depth, of class 1 construction, erected 1957, located in a restricted retail use, B area, class 1½ height district and used and occupied since 1957; Cellar—storage and mechanical equipment, 25 persons; 1st floor—offices, 10 persons; 2nd floor—offices, 120 persons; 3rd floor—offices, cafeteria, kitchen, 199 persons; 4th to 11th floors inclusive—offices, 120 persons each floor; penthouse—mechanical equipment, 2 persons; that for which Certificate of Occupancy #48440 was issued December 20, 1957 against N. B. Applic. 190/55; and

WHEREAS, this is an application for the approval of the erection of a sign 2 feet 5 inches by 40 feet long on the United Nations Plaza front and a sign 1 foot 8 inches by 18 feet long on the East 46th Street front, filed pursuant

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to the power vested in the Board by Section 6 of the Resolution adopted by the Board of Estimate, May 8, 1947, pursuant to the provisions of Section D41-28.0 of the Administrative Code as added by Chapter 23 of the Laws of 1947 and amended by Chapter 541 of the Laws of 1947; and;

WHEREAS, subdivision d of Section D41-28.0 of the Administrative Code, reads:

"d. To insure the beauty of the area to be used for the United Nations' headquarters and the approaches thereto and to promote the general welfare of the people of the city and state of New York; to insure the safe and orderly conduct of such United Nations and to protect the useful and desirable purpose of the same and to provide for the safety, convenience and comfort of officials, delegates, personnel and visitors to the same, such Board of Estimate shall have power to regulate and limit signs, billboards and advertising devices, and shows, exhibits, amusements and displays in the area of Queens and New York Counties contiguous to fronting upon or surrounding the lands occupied by the United Nations and any violation of such regulations shall be a misdemeanor."

and

WHEREAS, Section 2 of the Resolution adopted by the Board of Estimate May 8, 1947, reads:

"2. No business, amusement or advertising signs, billboards, exhibits, displays or devices shall be established thereafter in the Borough of Manhattan on or within 100 feet of the following: First Avenue from the north side of 38th Street to the south side of 52nd Street, inclusive; 47th Street from the west side of First Avenue to the east side of Second Avenue; and 48th Street from Second Avenue to the East River, except as provided in Section 6."

and

WHEREAS, Section 6 of such Resolution of the Board of Estimate reads:

"6. The Board of Standards and Appeals is hereby authorized for such period and upon such conditions as will not violate the purposes of those regulations, to waive the application of the provisions of these regulations by approving the establishment of signs, billboards, exhibits, displays and other devices in any of the areas outlined above. Such approval shall be given only upon the submission to such Board of Standards and Appeals of specific plans in such detail as it shall request as to the particular sign, billboard, exhibit, display or device for which approval is sought."

and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals Tuesday, July 15, 1958 at 2 P.M. in Room #1013, Municipal Building, Manhattan, after due notice by publication in the Bulletin of the Board; and

WHEREAS, notice of such hearing was given by regular mail to the City Construction Coordinator and to the Director of the Building Management Services of the United Nations Headquarters; and

WHEREAS, the application states one of the signs reading, "IBM WORLD TRADE CORPORATION" will be installed at the 2nd floor level, directly over the entrance of the building on the United Nations Plaza side, and one sign will be installed over the 46th Street entrance to the building, also reading "IBM WORLD TRADE CORPORATION"; and

WHEREAS, the applicant contends that the signs will serve to identify the building and will consist of individual letters of stainless steel with white neon tubing in back of each letter; that the signs will be dignified in design and will not be of the flashing type and will not create glare; that the 46th Street entrance of the building is used primarily by vendors and delivery men; that it would be extremely difficult to identify the building by the use of cut-out letters mounted behind the glass at street level, since these windows are recessed six feet behind the building line due to the

cantilever construction of the building which cast dark shadows; and

WHEREAS, the premises was inspected by a committee of the Board, which recommended that the appeal be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated April 22, 1958, acting on E. S. Applics. 261 and 262/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the sign above the first floor windows as indicated on plans filed with this appeal, marked "Received April 25, 1958". 1 sheet, and "June 24, 1958", 3 sheets, *on condition* that the proposed sign shall be of separate metal letters attached directly to the masonry, as shown; that a smaller sign of the same wording, called "Sign No. 2" may be erected on the East 46th Street side in the same general location and with the same requirements as to sign and location of the lettering.

283-58-A

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application May 5, 1958—Appeal from a decision of the Borough Superintendent, re legal hood and chimney on range required.

PREMISES AFFECTED—79-83 Pine Street, south side, from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman and Theodore O. Malvin.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 10, 1958 on B.N. Applic. 3760/57, reads:

"3. Provide legal hood and chimney for range as per 11.3.12 B.C."

and

WHEREAS, the applicant states that the building is 12 stories in height, 174 feet front by 63 feet in depth, of class 1 construction, erected 1957, located in an unrestricted use district, A area, class 2 and 2½ height district, and used and occupied since 1957 as follows: Cellar—garage for more than 5 cars for tenants use and storage, 5 persons; 1st floor—stores, 50 persons; mezzanine—office and mechanical equipment, 50 persons; 2nd floor—trading floor and offices, 180 persons; 3rd floor—offices, 60 persons; 4th to 12th floors—offices, 100 persons each floor; that the building is provided with a one-source sprinkler system in the garage and the garage entrance; that there is an approved standpipe system; that there are 2 interior fireproof stairs from roof bulkhead to street; and

WHEREAS, Certificate of Occupancy #48958 Temporary, issued April 12, 1958 against N.B. Applic. 50/55 permits the present uses and occupancy; and

WHEREAS, Violation #1795-58 was issued February 20, 1958 for installing a luncheonette in the corner store and cooking ranges without obtaining a permit therefore; and

WHEREAS, the applicant states that a restaurant seating less than 75 persons was opened in the corner store with the kitchen in the cellar; that plans filed called for a horizontal duct running from the ventilating hood to the street line on the store ceiling; that the Department accepted this method of ventilating the hood over the range in the past and under the present Building Code; that last year the Department decided to change its policy and interpret Section 11.3.12 so that all ranges would require a masonry chimney terminating at the roof of the building; and

WHEREAS, the applicant states that all ventilating hoods are connected to a ventilating flue terminating in a dis-

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charged louver at the building line; that this flue is connected only to the ventilating hood of the luncheonette; that all ventilating hoods are provided with grease filters as required by the Administrative Code; that duct penetrations in the ceiling and wall are protected with approved fire dampers; that the ranges used in this luncheonette are low temperature heating devices; and

WHEREAS, the applicant contends that to construct a chimney running vertically to the roof is impossible as the building covers the entire lot and no provision has been made for a flue or chimney to run vertically; that Section 10.3.12 has not been changed since its adoption in 1938; that the building was designed and erected in accordance with the prior interpretation of this Section; that the present restaurant was equipped at a cost of approximately \$50,000; that it is difficult to conclude how a masonry chimney running vertically would present a less hazardous condition than a metal duct properly enclosed terminating at the building line, particularly when the fire damper automatically prevents the fire from spreading through the duct, and this duct is surrounded by fireproof construction; and

WHEREAS, the applicant has filed with this appeal a copy of a report of consulting engineers, stating that the exhaust fan provided is capable of removing 5820 cubic feet per minute from the restaurant spaces as follows: Basement range hood is 1580 CFM; 1st floor—range hood, 2860 CFM; 1st floor—coffee urn, 500 CFM; 1st floor—dishwasher, 880 CFM; and

WHEREAS, the premises was inspected by a committee of the Board, which recommended that the appeal should not be granted.

Resolved, that the decision of the Borough Superintendent, acting on B.N. Applic. 3760/57, Objection 3, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

311-58-A

APPLICANT—Goldwater and Flynn, for Philip Spear, owner.

SUBJECT—Application May 19, 1958—Application to review a decision of the Borough Superintendent as to alteration in excess of 50% of valuation of buildings, sufficient to constitute a new building.

PREMISES AFFECTED—169-171 East 77th Street, north side, 150 feet west of 3rd Avenue, Block 1412, Lots 29 and 30, Borough of Manhattan.

APPEARANCES—

For Applicant: Max Wechsler, William Schwartz and Richard Goldwater.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated May 7, 1958 on amendment to Alt. Applic. 1050/57 reads:

"5/7/58 Objection C-1. The extent of the proposed alteration is sufficient to constitute a new building. The building must therefore comply with all the requirements for a new building."

and

WHEREAS, the applicant states that the premises consist of 2 separate lots, each 25 feet front by 102 feet 2 inches in depth, upon each of which there exists a 5 story, 55 foot high, class 3 constructed building, 25 feet front by 75 feet 6 inches in height, erected 1890, located in a residence use, B area, class 1½ height district, and used and occupied since 1891 as a Class A Multiple Dwelling, 2 apartments each floor; that the buildings are proposed to be altered, extended and combined into one building, 5 stories, 54 feet in height, 50 feet front by 86 feet 8 inches in depth, in class 3 construction and used and occupied as a Class A Multiple Dwelling with 7 apartments on the 1st floor and 8 apartments on each story above the 1st floor; that the

building will be provided with one 3 foot wide steel stairs with cement treads enclosed in 8 inch blocks and 4 fire escapes, located front and rear extending to roof by ladder and to street and yard by ladder; and

WHEREAS, the applicant contends that there is no provision in the Administrative Code which gives the Borough Superintendent the authority to issue the objection herein appealed; and

WHEREAS, the applicant states that alteration application and plans were filed for 169 East 77th Street on July 23, 1957 and approved December 24, 1957; that thereafter the owner acquired title to 171 East 77th Street and on March 14, 1958 filed amended alteration plans to include both buildings; that the work to be done on the combined plans were similar in nature to the work proposed to be done on the approved plans relating to the single building 169 East 77th Street; and

WHEREAS, the applicant contends that the plans for the combined buildings comply in all respects with the provisions of the Zoning Law, Building Code and Multiple Dwelling Law; and

WHEREAS, the applicant contends that alteration application similar to the one in question has been accepted and approved by the Department for many years; that there has been no requirements that such plans be filed as new building plans; that the owner of the premises in question purchased the property, arranged for mortgage commitments and entered into contracts for completion of the alteration in accordance with the plans as filed; that the sudden and abrupt change of the Building Department rejecting the plans as alteration plans and requiring compliance with the Building Code for a new building is in effect a deprivation of the property rights of the owner without due process of law; and

WHEREAS, the applicant further contends that the arbitrary and capricious action of the Borough Superintendent seriously affects the buildings in question and many other buildings throughout the City which are being similarly altered and for which plans have been filed with the Department; that the action of the Borough Superintendent is based solely on his opinion and not on any section of the law which would grant him the right to issue the objection in question; that the action of the Borough Superintendent has brought to a standstill substantially all alteration work similar in nature to the instant application; that this will tend to eliminate the conversion of slum areas into urban improvements by private capital in this type of work; that similarly a large segment of the building trade industry will be denied work at this time when all public agencies are cooperating in attempts to create employment in this area; and

WHEREAS, the premises were inspected by a committee of the Board; the Board finds that the scope of alteration work proposed and the amount of masonry walls, floors and roof which will be disturbed but not removed constitutes an alteration within the meaning and intent of administration Code Section C26-11.0; and

WHEREAS, the Board also finds that interpretations enforced by the Building Superintendents imposing requirements at variance with section C26-11.0 are a nullity and of no lawful force and effect; the Board is passing in no way on any question other than that appealed from.

Resolved, that the decision of the Borough Superintendent, dated May 7, 1958, acting on amendment to Alt. Applic. 1050/57, Objection C-1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as the Board rules that the proposal constitutes an alteration to the building and is not sufficient to require construction as a new building; that the applicant states the floors, roofs and interior masonry walls will be retained, and that the front wall would be retained if it were not for the fact that they desire to reconstruct an entirely new front wall for appearance sake and that the rear wall would be retained were it not for the extension which is permitted under the Zoning Resolution.

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340-58-A

APPLICANT—Merrill and Holmgren, architects for Brighton Heights Reformed Church.

SUBJECT—Application May 28, 1958—Appeal from a decision of the Borough Superintendent, re frame structure—stair enclosure.

PREMISES AFFECTED—322 St. Marks Place, southwest corner of Fort Place, Block 16, Lot 68, St. George, Borough of Richmond.

APPEARANCES—

For Applicant: Herbert W. Holmgren and Frederick R. Roberts.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper. 4

Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 6, 1958 on Alt. Applic. 137/58, reads:

"2. Repeated—Enlargement of frame structure erected before Jan. 1, 1938 must be of Class 1, 2 or 3 construction if within the tabular limits of Sect. C26-254.0 Adm. Code. This prohibits extension of frame construction, Class 4 or Class 3 on account of area limit C26-250.0 b.c.

"4. Stair enclosure must have fire resistive rating of 3 hours C26-732.0 subdiv. a Adm. Code.

"Note: Present balcony mezzanine will be expanded to a separate floor since it exceeds 2500 sq. ft."

and

WHEREAS, the applicant states that the building is 55 feet front by 133.4 feet in depth, 2 stories in height, of class 4 construction, located in a retail use, C area, class 1½ height district, erected 1882, and used and occupied since erection as follows: Cellar—heating plant and crawl space; 1st floor—church and Sunday school, 575 persons; 2nd floor—church balcony and Sunday school, 130 persons; that it is proposed to be increased to 67 feet front by 133.4 feet in area, in class 4 construction, and used and occupied without change except for the 2nd story will be used as a church balcony and Sunday school with an occupancy of 188 persons; and

WHEREAS, the applicant states that the building now has a Public Assembly Permit expiring January 28, 1959, permitting the occupancy of the Social Hall by 180 persons; that the present religious educational program is handicapped by a lack of space; that existing exit facilities particularly for the educational wing are not satisfactory; that toilet facilities are inadequate; that the balcony stair in the church is narrow and has winders; and

WHEREAS, the applicant states that it is proposed to remove the present balcony on the mezzanine in the center area of the educational wing; that it will construct a new 2nd floor, replacing this balcony extending to exterior wall with steel columns and girders, wood joists and wood floor with vermiculite ceiling below; that the increase in floor area will be 975 square feet; that the present wood stairs would be removed increasing the usable 2nd floor area by 200 square feet; that the 2 small rooms on the side of the chancel will no longer be used; that the usable floor area will thus be decreased by 300 square feet; that the total usable 2nd floor area for occupancy after the proposed alteration in the educational wing will be 2530 square feet; that it is proposed to construct a new 4 foot stair on both sides of the building to be of fireproof construction with 1 hour enclosures and 1½ hour roof construction; that these stairs will be steel and will be provided with 1 hour self-closing doors leading thereto; that it is also proposed to remove the existing winding wood stairs to church balcony; that it will construct new stair enclosures and 4 foot stair outside the existing building of wood construction; that this stair will extend from 1st floor to balcony and will lead to new toilet facilities constructed below the church; and

WHEREAS, the applicant contends that the existing building although legally non-conforming has certain conditions which it proposes to improve; that the increase in floor area will

aid the church greatly in its program; that the building cannot be expanded on the property because of lack of ground space; that there is no adjoining property available; that the exit facilities as proposed will be much safer for the children, particularly those occupying the 2nd floor; that the great increase in safety outweighs the 44% increase in occupancy of the 2nd floor; and

WHEREAS, the premises was inspected by a committee of the Board; and the Committee recommended that the appeal should be granted with conditions.

Resolved, that the decision of the Borough Superintendent, dated May 6, 1958, acting on Alt. Applic. 137/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the reconstruction of the existing mezzanine to a floor and the reconstruction of two enclosed stairs leading thereto as proposed and indicated on plans filed with this appeal marked, "Received May 28, 1958," 2 sheets, showing the existing conditions and "May 28, 1958," 5 sheets, showing proposed conditions *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that this variance shall be continued only as long as the building is used as a church and for church purposes.

341-58-A—Vol. II

APPLICANT—Tobias Goldstone for Young Israel of Flatbush, owner.

ACTION OF BOARD—Appeal granted on condition.

SUBJECT—Application reopened July 22, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in occupancy to public use, inadequate capacity of stairs, non-compliance of horizontal exit.

PREMISES AFFECTED—1300-1308 Coney Island Avenue, west side, 320 feet north of Avenue J, Block 6523, Lot 85, Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and Elias Heller.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3

Negative: Commissioner Kleinert, Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 17, 1958 on amendment to Alt. Applic. 859/58 and Alt. Applic. 1476/58, reads:

"1. In the class 3 structures four stories in height (three stories & basement) the change in occupancy to public use and the extension of the building at rear and sides in class 3 construction for public use is contrary to 4.2.1 of Adm. Code.

2. The capacity of the two stairs is inadequate for the occupancy based on the number of persons to be provided for under 6.1.2.3.

3. The horizontal exit provided on the third floor does not comply with 6.6.1. (2) in that the clear floor space provided (excluding the area of the apartment) is not adequate for the occupants of both buildings."

and

WHEREAS, the applicant states that the building is 3 stories and basement, 40 feet in height, 20 feet and 60 feet front by 90 feet and 100 feet in depth at street level, 90 feet in depth at typical floor level, of class 3 construction, erected 1926 and 1927, and used and occupied since 1942 and 1949 as follows: North Building—cellar—boiler room; basement—storage; 1st floor—showroom; 2nd floor—furniture gluing and finishing; 3rd floor—upholstering and sewing; South Building—basement—shipping room; 1st floor—stock room; 2nd floor—furniture manufacturing; 3rd floor—storage; and

WHEREAS, the applicant states that the North Building at 1300 to 1306 Coney Island Avenue was directed under N. B. Applic. 14398/26 and Certificate of Occupancy #46633 was issued September 22, 1927 for the following

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use and occupancy: Cellar—boiler room; basement—pool and turkish room; 1st floor—office and lounge room; 2nd floor—locker room; 3rd floor—dormitory; that the South Building at 1308 Coney Island Avenue was erected under N. B. Applic. 236/27 and Certificate of Occupancy 46634 was issued for the following use: Basement—Gymnasium; 1st floor—recreation and billiard rooms; 2nd floor—locker room; 3rd floor—lounge; that these buildings were erected as public buildings under Section 72-B of the Old Building Code, and were so occupied until 1942 when they were altered under Alt. Applic. 1724 and 1725 of 1942 and again under Alt. Applic. Nos. 4054 and 4055 of 1949, for furniture storage and factory, and Certificate of Occupancy Nos. 133569 and 139105 were issued for the following use: Cellar—boiler room; basement—storage; 1st floor—furniture showroom and office; 2nd floor—furniture gluing and finishing; 3rd floor—upholstering, sewing and storage; and

WHEREAS, the applicant states that the present owner purchased the buildings in 1955 for use for religious teaching and recreation facilities in conjunction with the existing school and synagogue located at 1252 Coney Island Avenue; that it is now proposed to use and occupy 1300 to 1306 Coney Island Avenue as follows: Cellar—boiler room; basement—pool and turkish room; 1st floor—library, assembly and offices; 2nd floor—class rooms; 3rd floor—classrooms and club rooms; that it is now proposed to use 1308 Coney Island Avenue as follows: Basement—bowling alleys; 1st floor—kitchens and check room; 2nd floor—class room and office; 3rd floor—caretaker's apartment and office; and

WHEREAS, the applicant states that it is proposed to install a 4 foot iron stairs within a 3-hour enclosure in the North Building and install horizontal exits on the 1st, 2nd and 3rd floors a 3-hour passageway across the court between the North and South Buildings; that the 3rd floor exits will accommodate 120 persons on two 3 foot 8 inch stairs; that however, with the installation of a 4 foot stair in the North Building, it is requested that the Board approve the exits for the number of occupants requested; and

WHEREAS, the applicants contends that the presumptive occupancy required to be shown by the Borough Superintendent in accordance with Section 6.1.2.3. as indicated on plans filed with this appeal thus "A" will not be the actual occupancy; that the actual occupancy of each space will be as shown on plans filed with this appeal thus "B"; and

WHEREAS, the applicant states that it is proposed to erect all partitions as indicated on plans of studs, rock lath and plaster both sides to create rooms and corridors; that it is proposed to remove the rear wall in the basement of the South Building and to erect a brick extension, to provide room for proposed bowling alley; that it is proposed to install a fire alarm system in accordance with the requirements therefore; that all ceilings throughout both buildings will be fire retarded, except the ceilings of basement and cellar in the North Building, which are now fireproof; that it is proposed to glaze all windows opening on the court with fireproof self-closing wire glass; that it is proposed to install sprinkler heads fed from the domestic water supply in the kitchens on the 1st floor of the South Building; and

WHEREAS, the applicant contends that inasmuch as these buildings were originally erected as public buildings, and it now proposed to reoccupy them as public buildings, it is requested that the Board grant this appeal; and

WHEREAS, the applicant states that the proposed occupancy of the combined buildings will be as follows: Basement—40 persons; 1st floor—250 persons; 2nd floor—188 persons; 3rd floor—150 persons; and

WHEREAS, the premises was inspected by a committee of the Board; and the Committee recommended that the appeal should be granted upon revised plans.

Resolved, that the decision of the Borough Superintendent, dated July 17, 1958, acting on Alt. Applic. 1476/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction, maintenance and arrangement of the building shall be as proposed on revised plans marked, "Received July 3, 1958," 7 sheets, and

that the building shall not be increased in height or area and shall be used only for the purpose as proposed only as long as the requirements of this resolution are complied with and that a new certificate of occupancy shall be obtained.

369-58-A

APPLICANT—Leo M. Zamory, for Our Lady of Mercy Church.

SUBJECT—Application June 11, 1958—Appeal from a decision of the Borough Superintendent, re frame building, public use, live load, stairways.

PREMISES AFFECTED—2493 Marion Avenue, west side, 172.32 feet north of East 188th Street, Block 3023, Lot 54, Borough of The Bronx.

APPEARANCES—

For Applicant: Leo M. Zamory.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 10, 1958, on Alt. Applic. 379/58, reads:

"1. Public building over one story within fire limits is contrary to 4.3.1 B.C.

"2. Sleeping quarters above 2nd story is contrary to 4.1.3. subd. 5 B.C.

"3. 100 square feet L.L. for floors as per 7.3.2.2.5 B.C.

"4. Means of egress are contrary to 6.1.2.2.1 B.C.

"5. Stairway as a required means of egress is contrary to 6.4.1.1.B.C."

and

WHEREAS, the applicant states that the building is 2½ stories and basement, 33 feet in height, 20 feet front by 52 feet in depth at street level, 20 feet by 36 feet in depth at 2nd floor level, of class 4 construction, erected 1905, located on a lot 25 feet front by 78 feet in depth, in a residence use, B area, class 1¼ height district, and used and occupied since erection as follows: Basement—2 car garage and boiler room; 1st, 2nd and attic stories—1 family; that it is proposed to be used and occupied as follows: Basement—work shop and boiler room, 8 persons; 1st floor—club room, coat room and toilet, 25 persons; 2nd floor—study, card room, reading room and toilet, 30 persons; attic—caretaker's apartment, 2 persons; that the building is provided with one 3 foot wide interior wood stairs enclosed in one hour partitions, equipped with hardwood oak self-closing doors, stair-hall leads direct to street but not to roof; that in addition there is one fire escape on the rear extending to the side; that fire escape extends to roof by 45 degree stair; that egress from its lowest termination to the street is through a concrete paved side court; and

WHEREAS, the applicant contends that the actual proposed limited use of the building is different from that generally accepted as a public building; that the building will be used for the exclusive use of mature male parishioners for reading, playing cards and watching television, etc.; that the number of occupants will be far below the number of persons computed on the basis of 10 persons per square foot as prescribed in the code; that there will be no dancing, parties or other events which will attract other than the regular occupants; that no cooking facilities will be provided on the floors used for public occupancy; that the presence of the caretaker in the proposed attic apartment will provide supervision on the premises; and

WHEREAS, the applicant states that it is proposed to fire retard the basement ceiling; that it will discontinue the existing 2 car garage in the basement; that it will enclose the stairhall with fire retarded partitions from basement to attic; that it will rehang and make self-closing the doors opening into the stairhall; that it will construction a new fire escape with access balconies at attic level for care-

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taker's apartment and at 2nd floor level; that these fire escape stairs will be 45 degree and will terminate in the southerly side court at the front of the building; that 2 sprinkler heads connected to the domestic water supply will be installed in the coat room; that the existing exterior walls will be fire retarded with an additional layer of plaster board applied over the existing plaster finish, with the exception of the north wall is now brick filled; that exit signs and lights will be installed; that existing masonry entrance steps will be rebuilt and will be adequately lighted; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated June 10, 1958, acting on Alt. Applic. 379/58, Objections 1, 2, 3, 4 and 5, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be arranged and constructed as indicated on plans filed with this appeal, marked "Received June 11, 1958", 11 sheets, that the building shall not be increased in height or area; that the exits provided and means of reaching the fire escape on the second story shall be changed so that the extension of the fire escape shall be extended further in length at least five feet and the present window shall be changed to a door and such door shall swing outward so as not to interfere with the stair exit to grade.

351-57-A

APPLICANT—Reuben Rappaport, for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Rappaport.

ACTION OF BOARD—Laid over to September 23, 1958, at 2 P. M. for applicant to see examiner for correction in digest.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Atkin.

ACTION OF BOARD—Laid over to September 23, 1958, at 2 P. M. for revised plans.

1039-23-BZ

APPLICANT—Harry Yarish, for Samuel Harris, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution to permit increase in height of westerly extension—re Application, decision of the Bor-

ough Superintendent; previously granted on condition, permitting in a residence use C area district, the erection and maintenance of a lodge building with a yard space less than that required by the Zone Resolution.

PREMISES AFFECTED—953-957 Putnam Avenue, Block 1483, Lot 64, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Yarish.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 4, 1923, on certain conditions; and

WHEREAS, the resolution was amended on February 28, 1956; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 28, 1956, by adding thereto:

"that in the event the use of the building is changed to a nursing home and it is desired to erect a three-story extension in the westerly court, such extension may be permitted, as passed on by this Board by resolution adopted under Cal. No. 475-55-A, Vol. II, *on condition* that the easterly court is maintained clear at all times to permit exit from the rear fire escape and any other doors leading from the building to the street, and that the requirements of the *amended* resolution adopted this day under Cal. No. 475-55-A, Vol. II shall be complied with." (Alt. 1584/55.)

467-37-BZ—Vol. II

APPLICANT—William R. Altman, for Perry Heidelberg, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the maintenance on first story of motor vehicle repair shop, for a garage use in basement later for a motor vehicle repair shop on the 1st floor, and permitting a motor vehicle repair shop in cellar, in addition to garage for more than 5 motor vehicles.

PREMISES AFFECTED—5070 (5060-5076) Broadway, 501-507 West 215th Street, northeast corner and 500 West 216th Street and 4036-4050 10th Avenue, Block 2232, Lot 18, Borough of Manhattan.

APPEARANCES—

For Applicant: William R. Altman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert..... 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on January 26, 1954, on certain conditions; and

WHEREAS, the resolution was again amended on May 7, 1957; and

WHEREAS, the applicant requested a further amendment of the resolution.

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Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 26, 1954 thereafter amended by resolutions through May 7, 1957 by adding thereto:

"that in the event the tenant approved by the Board by resolution adopted May 7, 1957, has removed from the street floor such space street floor may be occupied by a new tenant, Eiffel Auto Sales, Inc., Limited, *on condition* that such occupancy shall be on the first floor only and with no reference to the occupancy of the cellar which shall be continued as authorized by the Board's resolution." (Alt. 341/57.)

349-49-BZ

APPLICANT—Ingram S. Carner, for Norris and Sarah Caine, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in the business use portion of plot, the change in occupancy of part of plot from sale and display of used cars, two-car garage and office, to gasoline service and oil selling station, salesroom, lubritorium, auto laundry and motor vehicle repair shop, for a term of 15 years.

PREMISES AFFECTED—58-02 Queens Boulevard and 46-03 58th Street, southeast corner, Block 2313, Parts of Lots 9, 13 and 27, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 13, 1949, on certain conditions; and

WHEREAS, the resolution was amended on July 19, 1955; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 13, 1949, only so far as it has reference to brand signs so as amended this portion of the resolution shall read:

"that signs shall be restricted to a permanent sign attached to the accessory building and the illuminated globes of the pumps excluding all temporary signs but permitting the erection of a post standard within the intersection for supporting signs advertising only the brand of gasoline on sale and to permit such sign to have 2 leaves each leaf to extend beyond the building lines for a distance of not over 4 feet." (Misc. 515/55)

624-55-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Ethel Gordon, owner.

SUBJECT—Application for consideration—reopening to approve working plans—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7A of the Zoning Resolution,

permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, office, minor auto repairs with hand tools only, safety inspection station and parking and storage of motor vehicles for a stated term of 15 years.

PREMISES AFFECTED—202-15 Northern Boulevard and 43-22 to 43-30 203rd Street, northwest corner, Block 6263, Lot 17, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Paul Gordon.

ACTION OF BOARD—Application reopened for approval of working drawings in accordance with the resolution of the Board, adopted March 18, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on March 18, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and submitted working drawings, for approval by the Board, as being in substantial compliance with the requirements of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *approve* working plans as in accordance with the resolution adopted by the Board on March 18, 1958. (N.B. 3097/35)

916-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Mary Marano and Richard Carbisiero, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution, size of buildings—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence use D area district, the proposed partial demolition, reconstruction and extension of use of existing restaurant, bar and grill, cabaret, banquet and meeting rooms and one family dwelling on 2nd floor, to restaurant bar and grill, cabaret and banquet and meeting rooms, brides waiting rooms, proposed extension to exceed permitted coverage.

PREMISES AFFECTED—21-01 to 21-13 24th Avenue and 23-83 to 23-91 21st Street, northeast corner, Block 876, Lots 12 and 14, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE of July 22, 1958—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 18, 1956, on certain conditions; and

WHEREAS, the resolution was amended on November 26, 1957; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1956

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as thereafter *amended* by resolutions adopted through November 26, 1957, by adding thereto:

"that in the event the owner desires to change the size of the building from 125 ft. by 100 ft. to 125 ft. by 103 ft. and reduce the size of the extension from 23 ft. 6 in. by 37 ft., 19 ft. by 27 ft. such change of size may be permitted; and interior arrangements may be changed as proposed and as shown on revised plans marked 'Received July 1, 1958', 5 sheets; as passed on by the Borough Superintendent under Alt. App. 1640-55, disapproved June 26, 1958, on condition that the rearrangement of the floor shall be in accordance with the revised plans above referred to; and that in all other respects the requirements of the resolution above cited shall be complied with and the resolution adopted this day under Cal. No. 917-55-A shall be complied with."

917-55-A

APPLICANT—Lama, Proskauer and Prober, for Mary Marano and Richard Corbisiero, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Appeal from a decision of the Borough Superintendent;—re frame building, business use; previously granted on condition.

PREMISES AFFECTED—21-01 to 21-13 24th Avenue and 23-83 to 23-91 21st Street, northeast corner, Block 876, Lots 12 and 14, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley.... 4

Negative: 0

Absent: Commissioner Sleeper..... 1

THE RESOLUTION—

WHEREAS, this appeal was granted by the Board on December 18, 1956, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1956 by adding thereto:

"that in the event the owner desires to change the roof construction of the twenty-five by one hundred three portion of the building from Class 1 to Class 3, this change may be permitted providing that in all other respects the resolution above cited shall be complied with, and the balance of the building shall be separated by an eight inch concrete block wall and fireproof self closing doors as approved by the Borough Superintendent under Alt. Applic. 1640/1955, Objection dated June 7, 1958, as shown on plans filed with this request for amendment marked, "Received July 1, 1958," 6 sheets; and that the resolution adopted by the Board as above cited shall be complied with in all other respects."

186-53-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Jacob Stein, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 7e of the Zoning Resolution, to permit in the

local retail use district portion of a lot located in a residence and local retail use district, the erection and maintenance of a gasoline service station, auto washing (non-automatic), lubritorium, motor vehicle repairs, storage and sale of accessories and office, for a term of 15 years.

PREMISES AFFECTED—216-06 Hillside Avenue and 88-01 to 88-13 216th Street, southeast corner, Block 10676, Lot 17, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened subject to regular procedure as Volume II.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative 0

Adjourned: 3:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 3, 1958, as they appeared in Bulletin No. 23, Vol. 43, hereby corrected to read as follows:

574-21-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Emil Mosbacher, owner; Red and White Markets, Inc., lessee.

SUBJECT—Application reopened February 11, 1958 as Vol. II—re decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the small area which is in the residence use district and which is now part of the present theatre, to be used as part of the proposed food market.

PREMISES AFFECTED—1-15 East Kingsbridge Road and 2658-2690 Jerome Avenue, northeast corner, Block 3317, Lot 6, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

For Administration: John J. Saunders, B'd. of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on February 11, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on May 6, 1958 after due notice by publication in the Bulletin; laid over to June 3, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in business and residence use, B area class 1¼ height districts; that there has been no change in zoning since 1916; and

WHEREAS, the decision of the Borough Superintendent, dated January 22, 1958 acting on Alt. Applic. No. 54-58, reads:

"1. The change of use of that specific portion of the plot within the residence use district from theatre to

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supermarket is contrary to Ca. #574-21-BZ and Art. II Sect. 3 of the Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 221 feet 9 inches frontage by 160 feet, 147 feet and 155 feet in depth; that it is proposed to remove all interior theatre fixtures, seats and appurtenances; grade the floor to first floor level; erect new entrances to the market on Jerome Avenue and on Kingsbridge Road; enclose the side yard for use as storeroom and re-finish the interior with the most modern flooring, fixtures and lighting; and

WHEREAS, the applicant states that the original corner plot in 1921 was 147 feet 3 inches on Jerome Avenue and 160 feet on Kingsbridge Road; that the present plot is 221 feet 9 inches on Jerome Avenue by 160 feet; that the subject area, which is in the residence use district, is less than 4% of the area of the lot, and this said area, which will be used as part of the food market, is inside of the existing building and is entirely enclosed with unpierced walls; and

WHEREAS, the applicant further states that to the south Kingsbridge Road is 100 feet wide and in a business use district; that to the west, Jerome Avenue is 100 feet wide, in a business district; that the noisy elevated subway structure is overhead, the Armory is directly across the street and a school yard is on the northwest corner of 195th Street; that to the north, along the east side of Jerome Avenue, the front of the plot is used for stores, the rear building is used for garage and ignition repair shop and the open yard area is used for unlimited parking; that to the east the unpierced theatre wall lining the adjoining residence use district will remain undisturbed as the unpierced wall for the food market; that no immediately adjoining residence properties would be affected in any manner different than by its present use inasmuch as all business activity will be confined within the unpierced walls of the building; that as regards the business area, there has been no appreciable change in the character of the neighborhood, except for 35 years of depreciation; and

WHEREAS, the applicant contends that the financial plight of the owner of the small moving picture theatre is well understood; that this owner, after several years of negotiation, has succeeded in obtaining a responsible chain store to take over the vacant theatre on a long term lease; that this has been the only sound and practicable offer received in years; that however, in the original negotiation the owner agreed to deliver a complete set of approved plans at an early date; that the zoning objection was not anticipated and now, the new contract is conditional; that the maintenance costs and annual taxes of \$22,600 have placed a heavy financial burden on the owner and if he were to lose this tenant it may be several more years before another responsible tenant could be found; that the granting of this application could in no way affect any one adversely, but would result in greater safety to the public in store operation and would improve the general appearance of the exterior of the premises on both streets; and

WHEREAS, the applicant states that the present owner has held title to the property since April 26, 1926; that the assessed valuation of land is \$425,000 and of the building \$140,000 making a total of \$565,000; that the building was erected in 1921; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which noted that the existing building covers the area in question, and recommended that the application be granted under certain conditions to permit change of use; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c, to permit the existing building to continue as to the portion of the

plot in the residence use district, as previously permitted as indicated on plans filed with this application, marked "Received January 28, 1958", 5 sheets, and "March 27, 1957", 1 sheet, and to permit change of use as proposed to a super market, *including use of former side court to be roofed over and used for storage, on condition* that the existing marquee on the building shall be removed; that the building and occupancy shall comply with all laws, rules and regulations applicable thereto and the building shall not be further increased in height or area; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

* Correction—In the resolution, the clause referring to the use of the former side court—etc., inserted as indicated in italics.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 17, 1958, as they appeared in Bulletin No. 25, Vol. 43, hereby corrected to read as follows:

40-58-A

APPLICANT—Equitable Paper Bag Co., Inc., lessee; for Roseis Realty Co., owner.

SUBJECT—Application January 15, 1958—Appeal from a decision of the Fire Commissioner re use of panic bolts—factory.

PREMISES AFFECTED—45-50 Van Dam Street, west side Thomson Avenue to 47th Avenue, Block 279, Lot 1, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Arthur C. De Vita.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated January 8, 1958 (Folder No. 55566.01) reads:

"In reply to your letter of August 8, 1957, requesting permission to install five emergency exit locks used on doors leading to street, please be advised that the exit lock may not be used in a factory unless specifically approved by the New York City Board of Standards and Appeals for the specific building."

and

WHEREAS, the applicant states that the building is a 5 stories, 82 feet in height, 600 feet front by 180 feet in depth, erected 1950, of class 1 construction, located in an unrestricted use, A area, class 1½ and a class 2 height districts, and used and occupied since 1950 as follows: 1st floor—factory, 75 persons; 2nd floor—factory, 150 persons; 3rd floor—office and factory, 200 persons; 4th floor—factory, 45 persons; 5th floor—factory, no persons; that no change in use or occupancy is now proposed that the building is provided with 8 interior 38 inch wide steel and concrete stairs, fireproof enclosed, equipped with 1½-hours steel fireproof self-closing doors and leading to roof bulkhead; 6 of these stairs leads to street; and

WHEREAS, Certificate of Occupancy #Q 118265 issued September 16, 1957, upon completion of work under Alt. Applic. 1739/56 permits the following use and occupancy: 1st floor—factory, 230 persons; 2nd floor—factory, 230 persons; 3rd floor—office and factory, 215 persons; 4th floor—

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factory, 110 persons; 5th floor—factory, 55 persons; that the building is equipped with an approved two-source sprinkler system throughout; and

WHEREAS, the applicant states that it is proposed to install an Exit Lock of the type approved by the Board under Calendar Number 876-50-SM on 5 of the doors leading to the exterior of the building on the 1st floor, as indicated on plans filed with this appeal; and

WHEREAS, the applicant contends that the doors in question opens from the inside only and are located in parts of the plant which are remote from the main operations and thereby cannot be properly policed to prevent pilferage or improper entry by unauthorized people; that the main entrance of the plant will remain open during working hours and will be policed by a uniformed guard; that one of the employee's entrances will also be policed by a uniformed guard during the night shift hours; that the building is fire-proof and sprinklered; that there are adequate exits; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Fire Commissioner, dated January 8, 1958, (Folder No. 55566.01) and that the appeal be and it hereby is *granted*, to permit emergency locks on five doors leading from the first floor of the street as approved by the Board under Calendar No. 876-50-SM, as indicated on plans following this appeal marked, "Received January 15, 1958", 2 sheets; and that the main entrance to Van Dam Street shall be maintained without such lock.

* Correction—In the second Whereas Clause the height of the building corrected to read "82 feet" instead of "8 feet" and the depth of the building corrected to read "180 feet" instead of "18 feet" as shown in italics.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 1, 1958, as they appeared in Bulletin No. 27, Vol. 43, hereby corrected to read as follows:

108-58-BZ

APPLICANT—Samuel Rosenblum, for Yadbob Realty Corp., owner; Samoroff Building Inc., lessee.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, in an existing three-story building, the change in use of the first floor from non-storage garage for five (5) cars to garage, photographic studio and darkroom and to continue the use of the second and third floor as dwellings.

PREMISES AFFECTED—172 East 73rd Street, south side, 175 feet west of 3rd Avenue, Block 1407, Lot 44, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 10, 1958 after due notice by publication in the Bulletin; laid over to July 1, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; East 73rd Street and East 72nd area, class 1½ height districts; Lexington Avenue is in a restricted retail use, B area, class 1½ height district; Third Avenue is in a retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 27, 1958 acting on Alt. Applic. No. 209-58, reads:

"1. Proposed garage, photographic studio and dark room located in a residence use district is contrary to Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 102 feet 2 inches in depth, upon which is located a building three stories in height, erected in 1889 for use as stable, carriage house and dwelling; that the first floor was converted to a garage before 1916; that this block—East 73rd Street—was zoned unrestricted at the time of the adoption of the Zoning Resolution; that it is now proposed to use the first floor for a photo studio, dwelling above and one car, that of the owner, to be kept on the premises; that a small cellar is to be created at front for storage purposes and a mezzanine in the rear of the first floor for dark room purposes; and

WHEREAS, the applicant states that in 1919, under plans approved by the Fire Department and the Bureau of Buildings, a 275 gallon gasoline tank was installed in accordance with regulations under Alt. Applic. No. 1980-18; that when the work was completed, Certificate of Occupancy No. 1220-1919 was issued for garage on first floor and dwelling above; that permits have been issued regularly by the Fire Department for the storage garage and garage for ten cars, the latest renewal having been No. 44037 expiring December 5, 1952; that in 1954 the storage of gasoline was discontinued, the tank sealed in accordance with Fire Department regulations, and permits issued for a non storage garage for five cars, the latest permit expiring November, 1957; that at the present time there are many uses which would be classed as non conforming on this block; that at No. 182 is a five story garage, at 177-179 there is also a five story garage and there are also garages on the first floor at No. 174, No. 180 and No. 168; that No. 172 has been in almost continuous use for garage purposes to the present date; that this block was rezoned February 2, 1928 from unrestricted to residence use; that as the previous use was in accordance with approved plans, permits and Certificates of Occupancy, it has continued to date as a garage; and

WHEREAS, the applicant contends that this proposed use is far less onerous than the previous heretofore approved use for garage purposes; that it is not intended to alter the front of the building; that the prospective tenant has entered into a contract for purchase of the premises and intends to alter the building as indicated on plans filed with this appeal; that in connection with the photographic work, this is not to be a regular photographic gallery; that it is not intended for the public to come in to have pictures taken, but is a private studio for photos to be taken for editorial work and magazine articles; that the premises have been in continuous use for garage purposes for over 40 years; that the alteration is limited to make the interior suitable for photographic work and that the front of the building will not be changed, nor any showroom store front provided;

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that the upper floors will be used for dwelling as heretofore; and

WHEREAS, the applicant states that the present owner has held title to the property since July 27, 1954; that the assessed valuation of land is \$30,000 and of the building \$15,000 making a total of \$45,000; that the building was erected in 1889; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the continuation of the photograph studio and the use of the second and third floors as dwellings, as now existing, and as proposed to be continued with space for one car only and no gasoline dispensing system, and as shown on plans filed with the application, marked "Received March 10, 1958", 5 sheets, and "May 7, 1958" one sheet, *on condition* that the building shall not be increased in height or area and shall comply with all laws rules and regulations applicable thereto; and that a Certificate of Occupancy shall be obtained within six months of the date of this resolution.

* Correction—Reference in the resolution to the granting of the application for a term of five years, *deleted* in the resolution.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 27, 1958, as they appeared in Bulletin No. 22, Vol. 43, hereby corrected to read as follows:

1027-57-SM

APPLICANT—Concrete Plank Co., Inc., owner.

SUBJECT—Application December 30, 1957—Concrete Plank Co., Inc., One Leg Precast Concrete Channel Roof and Floor Slabs, approval of.

APPEARANCES—

For Applicant: Edward A. Robinson.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 1027-57-SM.

Subject: One Leg Precast Concrete Channel Roof and Floor Slabs.

Concrete Plank Company, Inc., Jersey City, New Jersey, filed December 30, 1957 an application with the Board of

Standards and Appeals for approval of the material known as One Leg Precast Concrete Channel Roof and Floor Slabs under the provisions of C-26-618.0, C26-619. and C26-626.0 Administrative Building Code.

Purpose

The material is to be used as a floor or roof construction.

Description

The slab is a light weight precast concrete slab. The size is 24 inches wide, 4 inch leg and 1¼ inch web. The soffit or leg is reinforced by means of a ⅝ inch steel bar for the 8 feet 0 inch clear span and ¾ for the 9 feet 8 inches clear span. The web reinforcement consists of a 4 inch by 4 inch electric welded wire mesh of 14 gauge protected by a ½ inch of concrete from the bottom. The mix used in the slab is 1 part of Portland cement to 4.3 parts (by volume) of approved aggregate.

Inspection and Test

The plant of the applicant was inspected by Asst. Engr. J. A. Darts, Committee on Test and H. C. Clarke, Prof Engineer, conducting the tests. The tests were conducted in accordance with the requirements of C-26-626.0 Administrative Building Code.

For the test, three planks were lapped together and supported on both ends on Steel I beams; the third unit was used for continuous support of the free hanging side of the adjacent unit.

The construction was so loaded that the load was applied at the ⅓ point of the span.

Results were as follows:

Span 8 feet 4 inches center to center; bearing 0 feet-2 inches—clear span 8 feet-0 inch
Area under load = 16.67 square feet
Test was carried to load of 4717 pounds; not ultimate;
 $4717 \div 16.67 = 282.9$ lbs./sq. feet
Safe carrying capacity = $282.7 \div 4 = 70.7$ lbs./sq. feet
Safe carrying capacity (superimposed load) = 70.7 lbs./sq. feet
Span 10 feet 0 inch C to C bearing 0 feet 2 inch—clear span 9 feet 8 inches
Area under load = 20 sq. feet
Ultimate Load = 5350 lbs.
 $5350 \div 20 = 267$ lbs. per sq. feet
Safe carrying capacity (superimposed load) = $267 \div 4 = 66\frac{3}{4}$ lbs./sq. feet

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as One Leg Precast Concrete Channel Roof and Floor Slab for use in New York City as an incombustible roof plank under the provisions of C26-619. o.b. when the fire protective covering is omitted from roof trusses as provided for under C26-618.0.a.c. Administrative Building Code; with loads and spans as follows:

Slabs ⅝ inch reinforcement—8 feet 0 inch Clear Span = 70.7 lbs./sq. feet
Slabs ¾ inch reinforcement—9 feet 8 inch Clear Span = $66\frac{3}{4}$ lbs./sq. feet

The Committee further recommends the approval of the plank under the provisions of C26-620.0.c.1.b in Class 2 fire protected structures as a floor plank when used with a ⅞ inch gypsum on cement plaster on metal lath.

The Committee further recommends that all planks shall be tagged, stamped or labeled as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 1027-57-SM," or in lieu thereof, the bill of lading, bills of material or invoices may be similarly marked.

The Committee further recommends that the plank may

MINUTES

also be marketed under the trade name of Cantilite Lap Plank.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

* Correction—Inspection and Test 2nd Par. change words “span” and “side” to “*planks*” and “*adjacent*” for correct wordage 3rd Par. change “clean” to “*clear*” in italics.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 15, 1958, as they appeared in Bulletin No. 16, Vol. 43, hereby corrected to read as follows:

303-26-BZ—Vol. IV

APPLICANT—Reginald S. Hardy, for Hayson Corp., owner.

SUBJECT—Application reopened September 25, 1956 as Vol. IV—re decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence and business use district, the lower or ground floor of the property to be used for the storage of paper cartons and the upper floor to be used for the manufacture, storage and distribution of infants apparel, quilts, blankets, pillows and office incidental thereto.

PREMISES AFFECTED—405-423 44th Street, north side, 38 feet east of 4th Avenue, Block 729, Lot 72, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: W. A. Lamb, Elizabeth Cross, Francis Cross and Lucy Russo.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. IV on September 25, 1956 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on March 11, 1958 after due notice by publication in the Bulletin; laid over to March 18, 1958, for hearing at request of attorney for objectors, applicant concurring; then to April 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 43rd Street and 44th Street are in business and residence use, C area, class 1¼ height districts; Fourth Avenue and Fifth Avenue are in a business use, C area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 4, 1957 acting on Alt. Applic. No. 467-55, reads:

“1. The proposed use does not agree with the conditions of approval of the resolution Cal. 52-48-A and Cal. 303-26-BZ of the Bd. of S & A.

“2. The proposed change in use from public garage for more than 5 cars to storage of paper cartons on 1st floor and manufacture of infants apparel, quilts, blankets and pillows on the 2nd floor, partly in a business and partly in a residence use district is contrary to the Zoning Res.—Art. II Sect. 3.”

and

WHEREAS, the applicant states that the premises consist of a plot, 162 feet frontage by 100 feet 2 inches in depth, presently improved with a two story class I structure, erected pursuant to a variance granted by the Board many years ago; that the building was designed to be used as a storage garage for more than five motor vehicles and Certificate of Occupancy No. 43767, dated March 30, 1927 was issued permitting such use to be maintained therein; that it is proposed to use the first floor for storage purposes; that there will be no person employed therein except during the brief periods while loading and unloading operations are in progress; that the second floor is to be used for the manufacture, storage and distribution of infants' apparel, quilts, blankets and pillows; that the maximum number of persons employed will not exceed forty; and

WHEREAS, the applicant states that the owner has found it impossible to rent the building for the former garage use and to obtain a fair return therefrom and accordingly sought permission from the Board to use the property for business purposes and on June 19, 1956 the Board granted the application to the extent of permitting the first floor of the premises to be used for the storage of metal furniture in cartons; that the second floor was vacant at that time and therefore the variance was not granted with respect thereto; that the owner has now obtained a tenant for the second floor for a period of six years to permit the property to be used for the manufacture, storage and distribution of infants' apparel, quilts, blankets and pillows and as offices, incidental thereto; that in the meantime, the use of the first floor has been somewhat changed in that it is now used solely for the storage of paper cartons, there being no furniture stored therein; that this application presents a definite improvement over the uses which were originally permitted on this property; and

WHEREAS, the applicant contends that the manufacturing will be confined to very light work involving no noxious fensive; that the manufacturing processes will be conducted exclusively during normal business periods and will not result in a 24 hour operation as was true of the public garage; that this use would be conforming insofar as the portion of the premises within the business district is concerned; that it does not conform to the requirements of the Zoning Resolution insofar as the residence use portion is concerned, but the proposed use will be far more desirable than that which had been conducted on the premises; that entrance to the lower floor will be by means of doors leading from 44th Street at the easterly and westerly end of the building; that facilities for loading and unloading operations will be provided within the building and therefore there will be no interference with passersby on the sidewalks; that access to the upper floor will be by means of the stairway located at the westerly end of the building and the ramp located on the the easterly end of the building; that an overhead door has been installed at the easterly end of the building closing the ramp when it is not in use, thereby eliminating the unsightly condition that formerly existed there; that the ramp, however, will permit trucks to reach the second floor and will eliminate on-street loading and unloading; and

WHEREAS, the applicant states that the present owner has held title to the property since October 15, 1935; that the assessed valuation of land is \$34,000 and of the building \$110,000 making a total of \$144,000; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does

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hereby *amend* the resolution adopted on June 19, 1956, by adding thereto:

"that in the event the owner desires to change the use of the building so that the first floor would be used as now proposed for storage of cartons, and the second floor used for the manufacture of infants' apparel, quilts, blankets, pillows, etc., such change of uses may be permitted under Section 7, Subdivision e, for a term of five years, as shown on plans filed with this application, marked "Received July 3, 1957," 3 sheets, and "December 21, 1956," 1 sheet, *on condition* that the doors through which trucks now enter are increased in height; that no shipments shall be delivered to the second floor *except* by means of the motor vehicle ramp now existing, which has recently been equipped with new doors; that the building shall not be increased in height or area and in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such fire-fighting appliances shall be installed and maintained as the Fire Commissioner shall require; that there shall be no signs on the building where such building is within the residential use area; that there shall be no additional curb cuts other than those now existing; and that all permits including a certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

* Correction—In the resolution, in reference to the restriction of shipments permitted to be delivered to the second floor, the word "*except*" is inserted in italics as dictated.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 4, 1958, as they appeared in Bulletin No. 10, Vol. 43, hereby corrected to read as follows:

196-57-SM

APPLICANT—United States Plywood Corp., owner.
SUBJECT—Application March 4, 1957—Weldwood Tackboard (bulletin board), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 196-57-SM.

Subject: Weldwood Tackboard.

United States Plywood Corp., New York, filed March 4, 1957 an application with the Board of Standards and Appeals for approval of the material known as Weldwood Tackboard under the provisions of C26-191.0 Administrative Building Code.

Purpose

The material is to be used as a bulletin board.

Description

The face of the textboard is a textured weave Kalistron (approved by the Board under Calendar Number 625-47-SM) a clear vinyl to the underside of which is applied colored pigment and flocking. The backing is a treated Celotex. The overall thickness of the board is 9/16 inches.

Inspection and Test

The material was inspected by Asst. Engr. J. A. Darts, Committee on Tests, and tested for combustibility and was found suitable for bulletin boards in school classrooms.

Recommendation

On the basis of the inspection and data filed by the applicant, the Committee on Test recommends the approval of *Weldwood Tackboard* for voluntary use in school classrooms, under the provisions of C26-191.0; provided that this material shall be attached directly to walls of fireproof materials and within a framing of metal or other incombustible material and that it shall be approximately three feet in width and not exceed a total of 250 square feet per classroom; that class rooms herein referred to shall be rooms in schools or other institutions giving academic instruction; and that the material delivered to a school for such use shall be tagged or stamped: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 196-57-SM".

(Sgd.) SEAN P. KEATING,
Vice Chairman

JOHN A. DARTS,
Asst. Engr.

GEORGE F. SKLENARIK,
Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

* Correction—In the Report of Committee on Test, under heading of Recommendation, the name "Armstrong's Accopac" deleted and "*Weldwood Tackboard*" inserted in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 18, 1958, as they appeared in Bulletin No. 12, Vol. 43, hereby corrected to read as follows:

576-57-SM

APPLICANT—Pacific Mills Industrial Fabrics (Div. of Pacific Mills Domestic Corp.), owner.

SUBJECT—Application June 27, 1957—Safetex—immersion method-pad and cure at elevated temperatures, approval of.

APPEARANCES—

For Applicant: Martin O. Hahn.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

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THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 576-57-SM.

Subject: Safetex.

Pacific Mills Industrial Fabrics, Division of Pacific Mills Domestic Corp., New York filed June 27, 1957 an application with the Board of Standards and Appeals for approval of the material known as Safetex under the Flameproofing Rules of the Board.

Purpose

The material is a compound for flameproofing fabrics.

Description

The material is based on a formulation developed by the Department of Agriculture known as *THPC-BAP* and is basically a mixture of phosphonium chloride and triallyl phosphate.

Inspection and Test

The material was tested on various weights of cotton fabric at the Better Testing Bureau in the presence of Asst. Engr. J. A. Darts, Committee on Test. The fabrics tested were 3.16 all cotton sheeting, 3.00 all cotton sheeting, 9 ounce all cotton denim and 12 ounce all cotton duck.

There was no flashing, flaming or glow in any of the samples tested. The complete report is on file with and is part of the record.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test concludes that the material Safetex possesses inherent flameproofing properties and accordingly recommends the approval of this material for use as a flameproofing compound on types of material as herein described.

Tests for each specific installation or any retests thereof shall be made by the Fire Commissioner or in a Laboratory approved by him in accordance with the requirements of the Rules for Test of Flameproof Materials.

The Committee further recommends that each container in which the material Safetex is marketed or any material which has been flameproofed with Safetex shall be labeled or marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 576-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

* Correction—In the Report of Committee on Test, under heading of *Description*, the material known as "THPC-BAR" changed to "*THPC-BAP*" in italics.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on June 3, 1958, as they appeared in Bulletin No. 23, Vol. 43, hereby corrected to read as follows:

937-57-SM

APPLICANT—Concrete Plank Co., Inc., owner.

SUBJECT—Application November 25, 1957—Concrete Plank Co., Inc., Precast Concrete Joists, to support Floors or roofs, approval of.

APPEARANCES—

For Applicant: Edward A. Robinson.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 937-57-SM.

Subject: Concrete Plank Co. Inc., Precast Concrete Joist.

Concrete Plank Company, Inc., Jersey City, New Jersey, filed November 25, 1957 an application with the Board of Standards and Appeals for approval of the material known as Concrete Plank Company, Inc. Precast Concrete Joist under the provisions of C26-468.0 Administrative Building Code.

Purpose

The material is a concrete beam used to support floors and/or roofs.

Description

The joists are manufactured in depths of 8 inch, 10 inch and 12 inch and in such span lengths and spacing as the job conditions require.

The joists for which approval is sought consists of the companies standard product which provides $\frac{3}{4}$ inch protection to the metal reinforcement and a similar type of joist with increased fire resistive protection as required under C26-519.0 wherein beams and girders are required to have $1\frac{1}{2}$ inches of concrete over all reinforcement.

The joists are made of a mix of 1 part of cement to 4 parts of approved aggregate using a water cement ratio to obtain a compressive strength of at least 3500 psi.

After the correct sizes and types of reinforcement have been determined in the design division, the reinforcing is cut and welded in a jig after which it is placed in the steel forms where the concrete is poured and the forms vibrated.

Inspection and Test

Sample panels, including the joists were load tested in accordance with the requirements of C26-626.0 Administrative Building Code in the presence of Asst. Engr. J. A. Darts Committee on Test and Hugh C. Clarke, Licensed Professional Engineer representing the applicant.

Each assembly comprised three floor joists, laid parallel to each other at a center to center spacing of 2 feet 6 inches, supported at each end by a bearing of 6 inches for the 8 inch joists, and 8 inches for the 10 inch and 12 inch joists, on concrete block walls and brick masonry from bottom flange to top flange of joist. The soffits of the joists were approximately 3 feet above grade.

Two 12 inch steel eye beams ($16\frac{1}{2}\#$ per foot), 7'-6" long were placed across the joists at the third points. Three steel eye beams ($22\#$ per foot) 19'-6" long were placed upon the two short eye beams, parallel and in the same vertical plane with the three concrete joists. Cantilite precast concrete planks manufactured by the Concrete Plank Company, were placed across the long steel beams and extended 1 foot, 3 inches beyond the center lines of the exterior joists, to form a complete decking, 7 feet 6 inches wide, for the entire length of the clear span of each panel. No fastening of any type was

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used on the concrete joists, steel joists or the concrete plank. There was no particular anchorage of the concrete joists on the end masonry walls. Bridging consisted of 4" x 4" timber at mid-points of the joists. The end joists had a piece of 4" x 4" timber between the joist and the web of a section of 10 inch steel beam which was embedded 3 feet in the ground and 3 feet above.

The joists used in this test were the standard joists in sizes of 8", 10" and 12" deep. The overall heights were 8", 10" and 12". The widths were 3½", 3½" and 4". The stirrups consisted of ¾ inch diameter bars spaced 1" from the end, followed by spacing of 4", 5", 6", 7", 8" and 12" to midsection and reversely repeated for the remaining half of the joist. The reinforcing steel used for both the longitudinal and web reinforcement conform to ASTM requirements.

The design of these joists is based on the Code of the American Concrete Institute (A.C.I. 218-56 and 711-53) except as noted:

$f'_c = 3750$ (A.C.I. Code)
 $f'_c = 3500$ (C-26-364.0.2 Administrative Building Code)
 $f_c = 1688$ (A.C.I. Code)
 $f_c = 1600$ (C26-364.0.2.d Administrative Bldg Code)
 $f_r = .06 f'_c$ (C26-364.0.2.d Administrative Bldg. Code)
 $f_u = .05 f'_c$
 $f_s = 20,000$ psi
 $n = 8$

The 8 inch joist was tested on a clear span of 19.98' or 20 feet; joist spacing 30 inches; decking 2 inch concrete plank. The 10 inch joist was tested on 22.52 feet; joist spacing 30 inches; decking 2 inch concrete plank and the 12 inch was tested on 22.52 feet; joist spacing 30 inches; decking 2 inch concrete plank.

RESULTS WERE AS FOLLOWS:

Joist	Joist	Fac-	Shear			
Design Load	Test Load	tor	Design Test	Factor		
8 2656 lbs.	7036 lbs.	2.65	129 296	2.29		
10 3508 lbs.	9000 lbs.	2.56	131 291	2.24		
12 5832 lbs.	14000 lbs.	2.4	196 525	2.17		

It was noted that failure in the 8" and 10" joist occurred by the reinforcing steel reaching its yield point which ranges around 50,000 psi; and 8" reached 53,000 psi, 10" reached 51,000 psi whereas, the 12" reached 48,000 psi as this joist was not carried to destruction.

A study of the deflection curves; computed against actual test deflection, show that in all cases the test deflections were on the safe side.

The complete report is on file with and is part of the record.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Concrete Plank Company, Inc. Precast Concrete Joist as manufactured by the Concrete Plank Company, Inc., New Jersey under C26-191.0 when designed in accordance with the accepted theory of flexure as provided in C26-468.0 as follows:

In Class I construction, as beams when protected as required under C26-509.0 except that standard joists with ¾ inch metal protection in areas 2500 sq. feet or less may be protected by a suspended ceiling with 3-hour fire resistive rating, provided such areas are completely fire stopped as provided under C26-615.0.a

In Class II construction, the joists to be protected in the manufacturers standard method, namely ¾ inch protection for reinforcement or when protected as provided under C26-615.0.b

For use in other classes of construction where no fire resistive rating is required or for use in such other classes of construction when protected so as to meet the fire resistive

rating required for the proposed use.

It is further recommended that all concrete shall comply with the requirements of the Administrative Building Code, that all material shall be designed and manufactured as herein described, that all designs of the joist shall be certified to by a professional engineer, that all drawings submitted to the Department of Buildings showing the proposed use of this construction shall bear the following wording, "The manufacture, design and use of these joists are in accordance with the approval granted under Calendar Number 937-57-SM"; that adequate shoring to carry normal construction loads shall be provided as follows:

8"—No shoring up to 24'-0
 10"—No shoring up to 25'-0
 12"—No shoring up to 25'-0

that the joists shall be spaced as required by load conditions; that bridging be provided for as follows:

8" deep joists exceeding 16' in length
 10" and 12" deep joists exceeding 20' in length

such bridging shall be in accordance with the methods as shown on Dwg. 1, marked Rec'd. May 2, 1958; that the precast joists may be used with flooring of either approved precast gypsum or concrete plank or poured concrete flooring the latter complying with C26-620.0 that where the ends of the joists rest or bear on masonry walls or steel beams, in order that lateral support be provided, the spaces between the ends of the joists shall be filled with bridging blocks or other masonry units laid in mortar; that where framing exists around openings such as stairwells, the headers and the joists around such openings shall be double with the ends of the joists intersecting the headers supported by steel hangers; that where a non-load bearing partition is parallel to the joists, the joists below such partition shall be double and where the partition is at right angles to the joists, adequate compensation shall be made for carrying this non-load bearing partition by increasing the carrying capacity of the floor; that adequate supports, complying with C26-461.0 shall be provided when suspended ceilings are used with these joists except that ceilings not required to have a fire resistive rating, such attachment may be made by adequate wood nailing strips secured to the joists. It is further recommended that all welding shall comply with the Welding Rules of the Board.

(Sgd.) SAMUEL L. BECKER,
 Director,

JOHN A. DARTS,
 Asst. Engr.,

GEORGE F. SKLENARIK,
 Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

*Correction—In the report of Committee on Test, under heading of *Inspection and Test*, in the 4th paragraph, the overall height is changed to read 8", 10" and 12"; and under heading of *Recommendation* in the last paragraph, the words "rest or bear" inserted, as indicated in italics.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 15, 1958, as they appeared in Bulletin No. 13, Vol. 43, hereby corrected to read as follows:

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859-57-SA

APPLICANT—American LaFrance Corp., owner.

SUBJECT—Application November 21, 1957—American LaFrance Dry Chemical Extinguishers, Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30, approval of.

APPEARANCES—

For Applicant: Roger C. Kahn.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Cal. No. 859-57-SA.

Subject: American LaFrance Dry Chemical Fire Extinguishers. Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30.

American LaFrance Corporation, Elmira, New York, filed November 21, 1957 an application with the Board of Standards and Appeals for approval of the American LaFrance Dry Chemical Fire Extinguishers, Models: PDC-2A, PDC-5, PDC-10, PDC-20, and PDC-30 under the provisions of 26-191.0 Administrative Building Code.

Purpose

Portable fire extinguishing appliances.

Description

The American LaFrance Dry Chemical Fire Extinguishers are hand fire extinguishers employing as the extinguishing agent a finely divided dry chemical which is ejected through a nozzle or hose by means of nitrogen gas or dry air at a pressure of approximately 150 p.s.i. Both the dry chemical and expellant gas are stored in a single chamber.

The extinguishers are operated by depressing the discharge valve lever.

To recharge, dry chemical is poured into the dry chemical chamber after removal of the valve assembly which is then placed and tightened. When the unit is to be pressurized, a special adapter is inserted into the valve outlet, the lever is depressed and nitrogen is introduced into the dry chemical chamber until the pressure gauge on the unit indicates the proper p.s.i. charging pressure.

The American LaFrance Dry Chemical Extinguishers are charged with from two pounds of dry chemical up to 30 pounds of dry chemical as indicated in the model designation.

Inspection and Test

The American LaFrance Dry Chemical Extinguishers have been tested and approved by the Underwriters' Laboratories for Class B and C fires under file Ex 1897.

Recommendation

On the basis of the data submitted by the applicant, the Committee on Test finds that the American LaFrance Dry Chemical Fire Extinguishers Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30 conform to the requirements of the General Resolution of the Board adopted July 16, 1940 under Cal. No. 809-40-GR wherein it was resolved that, "A fire extinguisher listed as approved by the National Board

of Fire Underwriters after test by the Underwriters' Laboratories, Inc., may be accepted by the Administrative officials under the Oil Burner Rules and the Administrative Code for the class or classes of fires as set forth in such approval. All such fire extinguishers for use in New York City shall bear the label of the Underwriters' Laboratories, Inc., stating "the class or classes of fire for which such fire extinguisher was so approved."

The American LaFrance Dry Chemical Fire Extinguishers Models PDC-2A, PDC-5, PDC-10, PDC-20 and PDC-30, having been so tested and approved by the Underwriters' Laboratories and bearing a label indicating such test and the class of fires for which it is suitable, is acceptable for use in the City of New York in accordance with the requirements of the rules of the Board and the Administrative Code.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

*Correction—In the Report of Committee on Test, under heading of *Description* in the 4th paragraph, the name "Leeder" deleted and the name "American LaFrance" substituted therefor in italics.

Continued from Front Page

nullity by the Court which ordered the matter to be heard on the merits. The decision of Mr. Justice James J. Conroy held—in part—as follows: "On this application to review and amend the determination of the respondents granting to the owners of a one family house in a G1 district a variance under Section 21 . . . permitting her to convert that dwelling to a two family house ". . . ". Essentially, the owner's application for a variance was based upon financial hardship ". . . ". But the law is well settled that such hardship is not sufficient ground for granting a variance ". . . ". A general restriction may not be destroyed . . . by piecemeal exemptions of land equally subject to the hardship created in the restriction ". . . ". The remedy in such case is to procure a change in the zoning ordinance in the area ". . . ". Neighboring violations of the zoning ordinance did not constitute practical difficulties or unnecessary hardships ". . . ". "While, therefore the Court is sympathetic, it is constrained to deny respondent's motion and to annul the determination and deny the application for a variance". N. Y. Law Journal, July 29, 1958.

Note: Application for review by the Appellate Division will be made. The Court has reversed the action of the Board and denied the application substituting its decision for that of the Board. The Board found multiple family uses in the site block and area permitted prior to the change of zone to a G1 district. To apply for a zoning amendment would be spot zoning and a worse evil than the action of the Board which was guided by the dictates of the N. Y. Charter, Section 666, paragraph 6 "to make such . . . determination as in its opinion ought to be made in the premises . . . ". The value of the more restrictive zoning to a G1 district affected only those dwellings which had not already been changed to multi-family use.

* * * * *

BOARD OF STANDARDS AND APPEALS
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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stack pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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OCT 1 1958
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No. 35

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

SEAN P. KEATING, Vice Chairman

EDWIN W. KLEINERT

MAX H. FOLEY

HAROLD R. SLEEPER

SAMUEL L. BECKER, Director

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Manhattan, Room 1014, Centre
and Chambers Streets, New York 7, N. Y.

TELEPHONE—WHitehall 3-3600, Extensions 2600-2609.

OFFICE HOURS FOR PUBLIC—9 a.m. to 4 p.m.

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Board's New Offices.

Docket.

Notice of Hearing Calendar.

Corrections Affecting Calendar Numbers 361-22-A—
Vol. II, 689-49-SM, 95-56-BZ, 913-57-A, 1021-57-SA
and 75-58-SA.

Rule to Supplement Section 19-A of the Zoning Resolu-
tion; Appeals as to Multiple Dwellings.

BOARD'S NEW OFFICES

The meeting held July 29, 1958 was the last to be held
at the Board's Hearing Room on the tenth floor of the
Municipal Building.

The Board's offices on the tenth floor will be dismantled
during August preparatory to removal to the Board's new
quarters at 80 Lafayette Street, ninth floor, Manhattan,
which it is expected will be ready by Wednesday, Septem-
ber 17, 1958 for the first hearing.

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engi-
neers, pertaining to the work of the board, will be seen only
between the hours of ten in the morning and one in the
afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to seek
relief until it is filed on the form required by the rules of
this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official either borough super-
intendent of buildings or fire commissioner and file with
this board a duplicate of said notice.

Appellants and applicants are advised that their plans must
indicate the points of the compass so as to establish the true
location and position of the property, the subject of the
appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 26, 1958

Cal. No. Dept. Premises Affected

461-58-A—B.Q.—69-01 Woodhaven Boulevard, northeast corner of Yellowstone Boulevard, Block 3178, Lot 67, Forest Hills, Borough of Queens, Alt. 2518-58, (under section 35, General City Law re premises partly in bed of mapped street—Nansen Street).

462-58-SA—Alemite Versatal Paint Spray Equipment, manufactured by Alemite Corporation, Appliance.

463-58-A—B.Q.—30-49 and 30-69 Review Avenue, northeast corner of 35th Street, Block 295, Lot 101 and Block 297, Lots 1, 25, 26 and 27, Long Island City, Borough of Queens, Alt. 1734-58, re class 5 construction, area and height excessive.

464-58-BZ—B.Q.—139-91 35th Avenue, north side, 150 feet west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens, Alt. 473-58, re parking of motor vehicles, residence use district.

465-58-SM—Zinc Oxide as retarder for brick mortar, manufactured by Colonial Blue Diamond Mortar Corporation, Material.

466-58-A—F.D.—31-85 Whitestone Parkway, northeast corner of 32nd Avenue, Block 4404, Lots 1 and 58, Flushing, Borough of Queens, Order 4475-8 and Decision, re storage of Nitrocellulose.

467-58-BZ—B.Q.—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens, N.B. 1567-58, erection and maintenance of gasoline service station, lubritorium, repairs, office, etc., parking and storage, ground sign. Local and retail use districts.

468-58-BZ—B.Q.—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens, N.B. 1567-58 (under section 35, General City Law re premises partly in bed of mapped street—proposed widening of 172nd Street).

469-58-SM—Hudson Cement Corporation—Portland Cement, Types 1 and 2, manufactured by Hudson Cement Corporation, Division of Colonial Sand and Stone Co., Material.

470-58-SA—Vornado Central Type Air Conditioners, Models B200 B-2, B200C-2R, B350C-2, B350D-2R and American Standard Central Type Air Conditioners, Models ACP-20 V-1, ACPR-20 V-1, ACP 35 V-2 and ACPR-35 V-2, manufactured by The A. O. Sutton Corporation, Appliance.

471-58-BZ—B.Bx—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of The Bronx, N.B.

648-58, re erection and maintenance of gasoline station, repair shop, retail use district.

472-58-BZ—B.B.—2773 East 14th Street, east side, 155 feet 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn, Alt. 2637-58, re change in occupancy to paint spraying, welding, repairs, business use district.

473-58-SM—Castlite Concrete Perlite Aggregate, manufactured by Federal Cement Tile Company, Material.

474-58-BZ—B.B.—98-114, Sterling Place, south side, 235 feet 5 inches west of Seventh Avenue, Block 945, Lot 21, Borough of Brooklyn, Alt. 1172-58, re change in occupancy to office, storage garage for more than 5 motor vehicles, repair shop, residence use district.

475-58-BZ—B.M.—204 East 88th Street, south side, 90 feet east of Third Avenue, Block 1533, Lot 45, Borough of Manhattan, Alt. 150-57, re change in use from restaurant to factory use, residence and retail use district.

476-58-A—B.M.—204 East 88th Street, south side, 90 feet east of Third Avenue, Block 1533, Lot 45, Borough of Manhattan, Alt. 150-57, re exits.

477-58-BZ—B.M.—745 East 9th Street, north side, 118 feet west of Avenue D, Block 379, Lot 42, Borough of Manhattan, Alt. 872-58, re parking of more than 5 motor vehicles, residence use district.

478-58-BZ—B.B.—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14, and 16, Borough of Brooklyn, N.B. 1295-58, re erection and maintenance of bank, parking, residence use district.

479-58-BZ—B.B.—104 Stephens Avenue, east side, 81 feet north of Soundview Avenue, Block 3446, Lot 14, Borough of The Bronx, N.B. 1723-58, re setback, residence use district.

480-58-SA—Blue Circle, Concord, Gas Boiler, Models Number 1D3, 4, 5, 6, 7, 8—2D3, 4, 5, 6, 7, 8, manufactured by Dunkirk Radiator Corporation, Appliance.

481-58-SA—Coleman Gas Fired Trailer Heaters 701 Series, 3001 and 3010 Series, 3002 Series, 3011 Series, manufactured by The Coleman Company, Inc., Appliance.

482-58-BZ—B.Q.—156-08 107th Avenue, south side, 50 feet west of 157th Street, Block 10135, Lot 27, South Jamaica, Borough of Queens, N.B. 650-58, re warehouse and office, parking for employees, residence use district.

483-58-SA—Hopkins Volcanic Specialties Combination Gas-Oil Burner, Models 2, 3, 4, 5, 6, 8, 10, manufactured by Hopkins Volcanic Specialties, Inc., Appliance.

484-58-A—F.D.—29 Clay Street, north side, 325 feet west of Manhattan Avenue, Block 2482, Lot 53, Borough of Brooklyn, Order 0362-8 and Decision, re dip tanks.

485-58-BZ—B.Bx.—2835 Gunther Avenue, west side, 200.27 feet south of Arnow Avenue, Block 4792, Lot 14, Borough of The Bronx, Alt. 346-56, re rear yard, residence use district.

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486-58-BZ—B.Q.—35-19 Leavitt Street, east side, 101.10 feet north of Northern Boulevard, Block 4961, Lot 7, Flushing, Borough of Queens, Alt. 1321-58, re change in use from stores and service station to stores, storage, repair shop, parking, etc., retail use district.

487-58-A—F.D.—66-99 Fresh Pond Road, north side of right-of-way, 150 feet east of Fresh Pond Road, Block 3619, Lot 3, Ridgewood, Borough of Queens, Decision, re installation of Diesel oil tanks.

488-58-BZ—B.Bx.—1314-1330 Merriam Avenue, east side, 150 feet west of 169th Street, Block 2531, Lot 5, Borough of The Bronx, Alt. 646-58, re parking more than 5 motor vehicles, residence and local retail use district.

489-58-BZ—B.Bx.—164 Schofield Street, south side, 190.8 feet, east of City Island Avenue, Block 5641, Lot 315, Borough of The Bronx, N.B. 482-58, re erection and maintenance of telephone exchange, residence use district.

490-58-SA—Janitrol Oil Fired Conditioners, Series OFLS, OFVS, OFDS and OFHS, manufactured by Surface Combustion Corp., Janitrol Division, Appliance.

491-58-BZ—B.M.—22 Greenwich Avenue, east side, 31 feet 5 inches north of Greenwich Avenue, Block 606, Lot 6, Borough of Manhattan, Alt. 875-57, re office use second floor, local retail use district.

492-58-SM—Slabform Standard, Heavy-Duty and Extra Heavy-Duty Roof Construction, manufactured by Bethlehem Steel Company, Material.

493-58-A—F.D.—40-05 168th Street, west side, southwest corner of Station Road, Block 5323, Lot 250, Flushing, Borough of Queens, Order 4433-8 and Decision, re sprinkler system.

494-58-SM—Matico Fire Retardant Tile, manufactured by Mastic Tile Corporation of America, Material.

495-58-SM—Glued laminated beams, arches and trusses, manufactured by Rilco Laminated Products, Inc., Material.

496-58-SA—A. O. Smith Permaglas and Burkay, Glass-lined Water Heater, Models PG-30, PG-30V, PG-50, PG-65, PGCL-30, B-180, B-50, B-65, B-97, PGCA-30, PGCA-40, PGO-30, PGO-30V, PGO-40, PGO-40V, PGO-50, PGO-65, PGCD-30, PGCD-40, PGCA-20, manufactured by A. O. Smith Corporation, Appliance.

497-58-SM—Sonotard Liquid, manufactured by L. Sonneborn Sons, Inc., Material.

498-58-SA—Trane Company Self-Contained Hermetic Units 35SC, 55SC, 75SC, 105SC, 155SC, Self-Contained Open Units 102SCE, 102SCW, 152SCE, 152SCW, 202SCE and 202SCW, manufactured by The Trane Company, Appliance.

499-59-SM—Natco Uniwall Load-Bearing Facing Tile for Exterior Wall Units, manufactured by Natco Corporation, Material.

500-58-SA—Lynn Oil Burner, Model 55, manufactured by Lynn Products Co., Appliance.

501-58-BZ—B.B.—3743-3761 Nostrand Avenue, east side, 140 feet north of Avenue Y, Block 7422, Lot 54, Borough of Brooklyn, N.B. 1376-58, re erection and maintenance of gasoline service station, lubrication, etc., parking and storage, local retail use district.

502-58-SA—Bowser Extractable Submerged Pumps for Gasoline, Models 564-1, 564-2 and 564-3, manufactured by Bowser, Inc., Appliance.

503-58-SM—Deegan Toilet Bowl Setting Wax Gasket, manufactured by The E. J. Deegan Manufacturing Co., Inc., Material.

504-58-BZ—B.Q.—244-25 130th Avenue, northwest corner of Hook Creek Boulevard, Block 12891, Lot 10, Rosedale, Borough of Queens, Alt. 2473-52, re setback, residence use, G-1 area district.

505-58-BZ—B.B.—416 42nd Street, south side, 100 feet east of 4th Avenue, Block 724, Lot 11, Borough of Brooklyn, Alt. 2583-58, re parking of motor vehicles, accessory to funeral parlor, residence use district.

506-58-SA—Brilliant Fire, Vent-O-Magic, Ohio Radiant and Sunburst Vented Gas Wall Heaters, Models 1025, 1025-M, 1035 and 1035-M, manufactured by The Ohio Foundry and Manufacturing Co., Appliance.

507-58-SA—Brilliant Fire, Ohio Radiant and Sunburst Vented Gas Room Heaters, Models 15-LOW, 20-LOT, 30-LOT, 35-LOT, 50-LOT, 65-LOT, 65-LTW, 3500-A, 5000-A and 7000-A, manufactured by The Ohio Foundry and Manufacturing Co., Appliance.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

	Last Publication
Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
	June 5, 1928—Vol. 13, No. 23

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	Last Publication
Insulating Fibre Board Rules	Mar. 25, 1952—Vol. 37, No. 13A
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 11, 1947—Vol. 32, No. 6
Oil Burner Rules	Nov. 20, 1956.
Opening Protective Assemblies, Rules for Inspection of	May 27, 1954.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

SEPTEMBER 17, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, September 17, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

CALENDAR

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.
PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars awaiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expired July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the

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change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then

to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, September 17, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

506-55-SA

APPLICANT—Cole Products Corporation, owner.

SUBJECT—Application June 14, 1955—Cole Spa Coin Operated Automatic Cup Vendor, Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe, approval of.

695-55-SA

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner, Gas-fired Unit Heater, Model FDS-55, approval of.

718-55-SA

APPLICANT—Empire Stove Company, owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C, approval of.

933-55-SM

APPLICANT—Town House Fabrics Corporation, owner.

SUBJECT—Application November 18, 1955—Hanover Drapery Fabric, approval of.

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487-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.
SUBJECT—Application June 21, 1956—Temco Radiant Vented Circulator Room Type Gas Heater, Models 304-4, 604-4 and 754-4, approval of.

488-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.
SUBJECT—Application June 21, 1956—Temco Vented Circulator Room Type Gas Heater, Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4, approval of.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters and Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184, approval of.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Company, owner.
SUBJECT—Application January 11, 1957—Steelcraft Series 16B and 20B Doors, approval of.

561-57-SA

APPLICANT—Westinghouse Electric Corporation, owner.
SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

131-58-SA

APPLICANT—H. M. Ficker for Enterprise Engine and Machinery Company, owner.
SUBJECT—Application March 13, 1958—Enterprise Combination Gas-oil Burners, Types AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

985-40-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

538-45-SA

APPLICANT—Cyclotherm Division of National U. S. Radiator Corp., owner.
SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.
SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.
SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates ¾ Hour Double-Hung Window; previously approved.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re 1½ Hour Flush Type Door; previously approved.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homar, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wood Batts; previously approved.

286-49-SA

APPLICANT—Maytag Company, owner.
SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers, namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.
SUBJECT—Application reopening and amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door (1¼ inch thick), ¾, 1 and 1½ Hour Rating; previously approved.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.
SUBJECT—Application reopening and amendment of resolution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.
SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.
PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

463-58-A

APPLICANT—Rodney W. Burton, for Jones and Laughlin Steel Corp., owner.
SUBJECT—Application July 30, 1958—Appeal from a de-

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cision of the Borough Superintendent—re Class 5 construction, height excessive.
PREMISES AFFECTED—30-49 and 30-69 Review Avenue, northeast corner of 35th Street, Block 295, Lot 101 and Block 297, Lots 1, 25, 26, 27, Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September 23, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the per-

mitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.
SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

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258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubricatorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.

PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.

PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub

and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

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PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubritorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Co., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

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291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

77-58-BZ

APPLICANT—Hady H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

302-41-BZ—Vol. II

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing

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structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for revised plans showing planted area.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

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Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

711-56-BZ

APPLICANT—Paul Friedman, for Felner Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubricatorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

HARRIS H. MURDOCK, *Chairman.*

CORRECTIONS

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 15, 1958, as they appeared in Bulletin No. 29, Vol. 43, hereby corrected to read as follows:

361-22-A—Vol. II

APPLICANT—Brooklyn Borough Gas Company, owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II

—Appeal from orders and a decision of the Fire Commissioner, re foam extinguishing system.

PREMISES AFFECTED—873 Neptune Avenue, north side, 146.90 feet east of West 12th Street, Block 7247, Lots 22, 100, 106, 114, 122, 265 and 320, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. Lee Alcock.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, Order Number 7951-7 was issued by the Fire Commissioner, December 30, 1957, reads:

"Inspectors of this department report that hazardous conditions were found to exist at the above premises. Kindly notify this office when these conditions have been corrected so that premises may be re-inspected.

1. *Provide a steam extinguishing system as per Resolution 361-22-A.*"
and

WHEREAS, the decision of the Fire Commissioner dated April 16, 1958, reads:

"This will acknowledge receipt of your communication of April 16, 1958 with respect to order No. 7951-7 affecting above mentioned premises.

You will please be advised that the Fire Commissioner is without authority to grant extension of time, therefore, your request must be denied.

You may consider this as a basis for an appeal if you decide to file an application with the Board of Standards and Appeals, Room 1015, Municipal Building, Manhattan within 30 days from above mentioned date."
and

WHEREAS, the applicant states that the premises consist of a plot fronting 600 feet on Neptune Avenue and 900 feet in depth on which the existing 23 foot 5 inch high 54 feet diameter tank is located; that it is used for the storage of gas oil pursuant to permission granted by the Board May 2, 1922 under Calendar Number 361-22-A, Volume I; and

WHEREAS, the applicant states that the plant in which the existing steam extinguishing system is installed, discontinued daily operations in 1951 and was converted to standby operation, for use only for brief periods during the winter season for peak load requirements; that due to the change in plant operation resulting from natural gas being received and the need for daily continuous manufacturing of gas at this plant ceased; that due to these changes the present practice for boiler plant operation is to operate only during severe cold weather; that under such conditions steam is not available for fire protection purposes during most of the year; and

WHEREAS, the applicant states that upon recommendation of the Fire Department the outlets of the foam generators were manifolded in such a manner to give flexibility so that any or all generators can be used on any or all tanks; that at the present time each tank is piped from its own individ-

ual generator; that a new connection has been installed in the existing water line at the foam generator house for use by the Fire Department in the event additional water pressure is required; that the existing foam generators are fed by city water pressure, connected to two independent city mains, coming into the plant at an average pressure of approximately 50 lbs. per square inch; that a new 4 inch high pressure water line from the city main will be installed and connected to the discharge of a motor driven high pressure pump; and

WHEREAS, the applicant contends that a review of the Fire Department System for oil storage tanks of other utilities within the City, indicates that foam equipment is being adequate without the steam blanketing equipment; that in no case are both fire, foam and steam used in any installation; that if steam were used in conjunction with foam it would have a tendency to dissipate and break up the foam layer thereby decreasing the efficiency of the foam in smothering the fire; that in addition there is a water tower on the premises which can be used as an additional source of water in an emergency, in the event of the failure of city supply; that this tower has a capacity of 100,000 gallons and the bottom of the tank is 90 feet above grade and will supply pressure of 40 lbs. per square inch; that this tower is connected to the yard hydrant system and is available at a moments notice; and

WHEREAS, the applicant contends that the installation of steam smothering system would serve no useful purpose, would be discriminatory against the Company, and would not be necessary as the present foam system is an example to the Fire Department; that it is therefore requested that the Board modify Item I of the Fire Commissioner's Order so as to permit the Company to abandon the steam line as proposed, with the understanding that the foam system will otherwise comply with the requirements of the Fire Commissioner; and

WHEREAS, the Board found that the existing foam fire extinguishing system as permitted by resolution adopted under calendar 361-22-A, Vol. I on May 2, 1922 should be conformed with changes since completed.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 2, 1922, so that as *amended* the resolution shall read:

"*Resolved*, that the decision of the Fire Commissioner, acting on Order #7951-7 dated December 30, 1957, and the decision of the Fire Commission dated April 16, 1958, be and they hereby are *modified* that the appeal be and it hereby is *granted on condition* that a fire protective system in the nature of fire foam shall be installed and that the tank be enclosed with reinforced concrete dike walls in an enclosure so formed as to have a capacity sufficient to contain half the contents of the tank; and that such system shall be maintained to the satisfaction of the Fire Commissioner."

*Correction—Under heading of Appearances, the name corrected to read "A. Lee Alcock."

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 8, 1958, as they appeared in Bulletin No. 28, Vol. 43, hereby corrected to read as follows:

689-49-SM

APPLICANT—Insulrock Company, Division of The Flintkote Company, owner.

SUBJECT—Application reopening February 18, 1958 for amendment of resolution as to additional thickness of

CORRECTIONS

Insultork—re SK Insulrock Insulating Roof Deck; previously approved.

APPEARANCES—

For Applicant: George Pray, Jr.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 689-49-SM.

Subject: Amendment to resolution as to additional thickness of Insulrock.

Insulrock Company, Division of Flintkote Co., Linden, New Jersey, requested by letter dated February 4, 1958, that the resolution adopted March 7, 1950 under Calendar Number 689-49-SM, be amended so as to include an additional thickness of Insulrock. The application was reopened by a vote of the Board February 18, 1958.

Purpose

The material is to be used as an incombustible structural roof deck.

Description

The material and the manufacture of the plank is the same as that approved March 7, 1950, under Calendar Number 689-49-SM.

Inspection and Test

Samples of the plank were tested at the applicants Research Center in the presence of Asst. Engr. J. A. Darts, Committee on Test in accordance with the requirements of C26-626.0 Administrative Building Code.

The plank 2½ inches in thickness was tested on a clear span of 3'-4".

The average load on three planks was 1920 lbs.

Area under test = 9.33 sq. ft.

Load in lbs./sq. ft. $1920 \div 9.33 = 205$ lbs./sq. ft.

Safe superimposed load = $205 \div 4 = 51$ lbs./sq. ft.

The 2 inch plank was retested on a 3' 0" center to center span and the results were the same.

Recommendation

The Committee on Test recommends that the resolution adopted March 7, 1950, under Calendar Number 689-49-SM be amended so as to include Insulrock plank of a thickness of 2½ inches with a clear span of 3'-4" or 3'-6" center to center for a superimposed load (live and dead) of 51 lbs./sq. ft. and the 2" slab with a clear span of 2' 10" for a superimposed load (live and dead) of 62 lbs./sq. ft. on condition that the requirements of the resolution adopted March 7, 1950 under Calendar Numbers 689-49-SM are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of March 7, 1950 in accordance with the above report.

*Correction—In the Report of Committee on Test, under

the headings of *Inspection and Test* and *Recommendation*, insertions made as indicated in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 22, 1958, as they appeared in Bulletin No. 30, Vol. 43, hereby corrected to read as follows:

95-56-BZ

APPLICANT—Ervin Palmer, for 85 Lewis Street Realty, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution, use of premises by tenant—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a retail and residence use district, a proposed garage for five motor vehicles (trucks) on a lot partly in a residence use district by Art. II, Sec. 3 of the Zoning Resolution. Proposed 100% coverage of an interior lot by a garage partly within a residence use district and wholly in a C area district is not permitted by Art. IV, Sec. 13B of the Zoning Resolution.

PREMISES AFFECTED—111 Madison Street, north side, 85 feet west of Market Street, Block 277, lot 19, Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmation: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 23, 1956, on certain conditions; and

WHEREAS, the resolution was amended on January 21, 1958; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 23, 1956 as thereafter amended by resolution adopted on January 21, 1958, so that as amended this portion of the resolution shall read:

"that in the event the owner desires to install a gasoline storage tank and pump within the premises for the use of his own trucks, *or the trucks of his tenant* such may be permitted *on condition* that in all other respects the resolution shall be complied with." (N.B. App. 144/55)

*Correction—In the resolution in relation to the gasoline storage tank and pump, for the use of the owner's trucks, the words *or the trucks of his tenant* inserted as indicated in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 8, 1958, as they appeared in Bulletin No. 15, Vol. 43, hereby corrected to read as follows:

CORRECTIONS

913-57-A

APPLICANT—Morris Brody, for Nationwide Investors, Inc., owner.

SUBJECT—Application December 13, 1957—Appeal from a decision of the Borough Superintendent, re non-fire-proof building, commercial use, re stair enclosure, etc.

PREMISES AFFECTED—12-14 East 37th Street, south side, 143 feet west of Madison Avenue, Block 866, Lots 67 and 68, Borough of Manhattan.

APPEARANCES—

For Applicant: M. Brody.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley: 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated December 5, 1957 on amendment to Alt. Applic. 1757/56 reads:

"1. Proposed commercial use of a 5 sty. non-fire-proof bldg. is contrary to 4.2.1B.C.

"2. Provide 2 hr. enclosure each stair thruout and bulkhead to roof as per C26-292.0A.C." and

WHEREAS, the applicant states that the building is 5 stories, 58 feet in height, 51 feet front by 98 feet 9 inches in depth at street level, 51 feet front by 60 feet in depth at typical floor level, of class 3 construction, located in a restricted retail use B area, class 2 height district, and used and occupied, as follows: #12 East 37th Street—Cellar—storage and utilities; 1st floor—stores; 2nd floor—show rooms and office; 3rd floor—offices; 4th floor—1 apartment; 5th floor—permanent vacant; that for which use Certificate of Occupancy #41642 was issued September 23, 1953 on upon completion of work under Alteration Application 283/53; #14 East 37th Street is used and occupied as follows: Cellar—storage and utilities, 14 persons; 1st floor—store, 50 persons; 2nd floor—store, 15 persons; 3rd floor—1 apartment; 4th floor—1 apartment; 5th floor—2 apartments; that for which Certificate of Occupancy #36262 was issued October 19, 1949 upon completion of work under Alteration Application 1894/46 which certificate classified the building as an heretofore converted class A Multiple Dwelling; and

WHEREAS, it is now proposed to alter and use and occupy the combined buildings as follows: Cellar—storage and utilities; 1st floor—store, restaurant and photo studio, 85 persons; 2nd floor—show rooms and offices, 35 persons; 3rd, 4th and 5th floors—offices, 35 persons per floor; that each building is provided with a Multiple Dwelling Law type one-source sprinkler system; that there are two interior steel and wood stairs enclosed in brick and fire retarded partitions equipped with fireproof self-closing doors and leading direct to street; that one stair leads to roof bulkhead and the other is provided with a ladder and scuttle to roof; that in addition there is one fire escape on the rear extending to roof by stair and by ladder with no egress from its lower termination; and

WHEREAS, Violation #3413 was issued May 14, 1957, against 14 East 37th Street for failing to obtain a new certificate of occupancy after completion of work required by Alt. Applic. 1757/56; and

WHEREAS, the owner was convicted and fined in Municipal Term Magistrate's Court; and

WHEREAS, the applicant states that the building at 12 East 37th Street was first recorded in the Department under Alt. Applic. 767/1872 and 14 East 37th Street was first recorded under Alt. Applic. 61/1900; that 14 East 37th Street is now proposed to be taken out of the Multiple Dwelling classification; and

WHEREAS, the applicant states Violation #3143 of 1957 was issued because alteration by prior owner was completed before acquisition by the present owner, which alteration consisted of changing the store use to a restaurant; and

WHEREAS, the applicant states it is proposed to occupy each floor for a single tenant, cutting openings through the present exterior walls that are common to both buildings for circulation and access to the stairhalls, elevators and toilets; that each rentable floor will be about 2,500 square feet in net area; that in #12 the wood stairs will remain; that in #14 all stairs will be of steel over 3 feet in width; that the public halls to the 3rd floor are partly enclosed in 8 inch masonry, and the remaining walls or partitions are of wood studs and plaster, which will be fire retarded to meet the 1-hour rating; that all public halls doors will be ¾-hour test fireproof self-closing; that the public hall in #14 will have the existing Multiple Dwelling type sprinkler system maintained; that the occupancy will be at the rate of 75 square feet per person, for a total of 35 persons per floor; that the stair capacity is good for 90 persons on each floor; that the 2,500 square feet floor area per floor is only slightly in excess of the 2,500 square feet under which the building could comply with the code by having only one 3 feet stair; that the buildings are only slightly in excess of the 50 feet height permitted for a 4 story commercial building; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated December 5, 1957, acting on Alt. Applic. 1757/56, be and it hereby is modified and that the appeal be and it hereby is granted as to Objection 1, on condition that fireproof doors of at least 1½ hour rating shall be installed in the masonry wall on all floors where openings exist between the two portions of the building, as indicated on plans filed with this appeal, marked "Received December 13, 1957", 6 sheets, and as to Objection No. 2, that the stair in each building shall be enclosed as proposed, on condition that such stair shall have fireproof, self-closing doors opening in the direction of exit at all stories and leading to the street; that the bulkhead of stair enclosure to the roof in Building No. 14 shall be maintained and in Building No. 12 there shall be a double-rung ladder leading to the scuttle in the roof, which shall have a Bickelhaupt or other approved type of fastener; that the existing fire escape on the rear shall be maintained as shown and shall be provided with a ladder for access to the rear yard of subject premises or adjoining premises from the first story extension roof; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that the occupancy shall be as proposed and that this variance shall continue only so long as such occupancy is maintained.

*Correction—Alt. Applic. 1757/54 changed to Alt. Applic. 1757/56.

* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 15, 1958, as they appeared in Bulletin No. 13, Vol. 43, hereby corrected to read as follows:

CORRECTIONS

1021-57-SA

APPLICANT—Precision Heat Treating Co. for Ipsen Industries, Inc., owner.

SUBJECT—Application December 23, 1957—Endothermic Generator, Model 600G, to produce special gas suitable for proper heat treatment of steel, approval of.

APPEARANCES—

For Applicant: Jack Cohen and Leslie E. Senet.
ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 1021-57-SA.

Subject: Endothermic Generator, Models: G 250 E, G 500 E&G, G 600 E&G, G 750 E&G, G 1250 E&G, G 1500 E&G, G 2500 E&G, and G 3000 E&G.

Ipsen Industries, Inc. Rockford, Illinois, filed December 23, 1957, an application with the Board of Standards and Appeals, for approval of their Endothermic Generator, Models: G 250 E, G 500 E&G, G 600 E&G, G 750 E&G, G 1250 E&G, G 1500 E&G, G 2500 E&G, and G 3000 E&G, for use in New York City, under the provisions of C-26-191.0 and C19-11.0 of the Administrative Code.

Purpose

To make a special gas for use in metal heat treating ovens.

Description

The Ipsen Generator produces a protective atmosphere gas for use in heat treating metals. Air and gas such as natural gas are drawn through flow meters and mixed together in an adjustable mixer to an exact ratio. This air-gas mixture is introduced into an insulated inconel retort which is heated electrically or by gas heat supplied from a ring type burner installed beneath the retort. The gas-air mixture is partially burned within the retort which contains a catalyst and the remaining gas mixture is reformed to the desired composition and passes from the retort through a water cooled cooler or heat exchanger and is then metered to one or more heat treating furnaces. Provision is made to burn off excess gas at the top of the generator. A Selas Five Check is installed in the piping between the gas-air blower and the retort to shut off the gas-air flow in case of a flash back.

The normal operating temperature in the retort is 1600 degrees F with some gases. This may be increased to 1850 degrees F. Control of the generator operation is accomplished by checking the dew point of the generated gases and by making any necessary adjustments in the ratio of the gas-air feed. Automatic operation continues thereafter.

Temperature control is automatic by means of a thermocouple placed through the insulating wall surrounding the retort. This thermocouple serves to control the flame of

the multi-jet ring burner in the gas heated units or the flow of the multi-jet ring burner in the gas heated units or the flow of electric current in the electrically heated units wherein suitable electrodes are installed around the retort where the flue passages would be on the gas heated units.

High temperature (1950 degree F) safety fuses are installed on the electrically heated generators and will shut off power in case the normal means of temperature control should fail. The gas heated generators have automatic safety pilots at the burners.

In the model designation for the generator the suffix "G" indicates a gas heated unit, while the suffix "E" indicates an electrically heated unit. The numeral indicates the capacity of the generator in cubic feet per hour.

Inspection and Test

A typical G-600-G installation was inspected at 282 North Henry Street, Brooklyn by Ass't. Engr. G. F. Sklenarik, Committee on Test. Present was Mr. L. Senet, representing the applicant.

The generator functioned satisfactorily as designed.

Recommendation

On the basis of the inspection and the data filed by the applicant, the Committee on Test recommends the approval of the Ipsen Endothermic Generator, Models: G250 E, G500 E&G, G600 E&G, G750 E&G, G1250 E&G, G1500 E&G, G2500 E&G, and G3000 E&G, for voluntary use in New York City, when installed in accordance with this report and the Electrical Code of the City of New York, and provided that they will be used only with approved heat treating furnaces and that all installations shall be supervised by the applicant's personnel and that the operators of such generators shall be specially trained by the applicant and further that each generator shall bear a label permanently affixed, reading: "Approved by the Board of Standards and Appeals, for use in New York City, under Calendar Number 1021-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.

GEORGE F. SKLENARIK,
Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

* Correction—Models G250 E and G600 E&G included in the approval.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 15, 1958, as they appeared in Bulletin No. 13, Vol. 43, hereby corrected to read as follows:

75-58-SA

APPLICANT—Martin Stamping and Stove Co., owner.

CORRECTIONS

SUBJECT—Application February 5 and February 11, 1958
—Martin Unvented Gas-fired Room Heaters, Model C-418, C-430, C-440, 522, 528, 535, 422, 428, 435, 1205, 1206, 1116 and 1120 and Martin Vented Gas-fired Room Heaters, Models V835, V850, V870, V935, V945, V965, V985, V715 and V720, approval of.

APPEARANCES—

For Applicant: Irving Entin.
ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 75-58-SA.

Subject: Martin Unvented Gas Fired Room Heaters, Models C-418, C-430, C-440, 522, 528, 535, 422, 428, 435, 1205, 1116, 1120 and Martin Vented Gas Fired Heaters, Models V835, V850, V870, V935, V945, V965, V985, V715 and V720.

Martin Stamping & Stove Company, Huntsville, Alabama, filed February 11, 1958 an application with the Board of Standards and Appeals for approval of the Martin Vented and Unvented Gas Fired Heaters, Models C-418, C-430, C-440, 522, 528, 535, 422, 428, 1205, 1206, 1116, 1120, V835, V850, V870, V935, V945, V965, V985, V715 and V720 under the provisions of Article 12 Chapter 26, Administrative Code.

Purpose

Gas fired room heaters for domestic and commercial use.

Description

The Martin Unvented Heaters are floor type room heaters, consisting of porcelain finished cabinets housing cast iron raised drilled port burners. Primary air intake to burners is adjustable on all models.

The 500 series are straight convection type heaters while the 400 series and the 1205, 1206, 1116 and 1120 models have clay radiants installed just above the burner.

The C-400 series are also available with a fan assembly for forced circulation of heated air.

The characteristics of the various heaters are:

Model	No. of Radiants	Btu Rating
422	4	20,000
428	5	28,000
435	6	35,000
522	None	22,000
528	None	28,000
535	None	35,000
C-418	3	18,000
C-430	5	30,000

C-440	6	40,000
1205	5	20,000
1206	6	24,000
1116	4	16,000
1120	5	20,000

The Martin Vented Heaters are designed for flue connection to the outdoors.

The characteristics of the various vented heaters are:

Model	No. of Radiants	Btu Input
V 715	None	15,000
V 720	None	20,000
V 835	5	35,000
V 850	6	50,000
V 870	7	70,000
V 935	None	35,000
V 945	None	45,000
V 965	None	65,000
V 985	None	85,000

The V 900 models are also available with a blower fan.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

All of the Martin Heaters covered in this application were tested and approved by the American Gas Association for all fired gases.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Martin Unvented Gas Fired Room Heaters Models C-418, C-430, C-440, 522, 528, 535, 422, 428, 435, 1205, 1206, 1116, 1120 and Martin Vented Gas Fired Heaters Models V 835, V 850, V 870, V 935, V 945, V 965, V 985, V 715 and V 720 for use in New York City under the provisions of Article 12 Chapter 26 Administrative Code provided that when such heaters are thermostatically controlled, they shall be vented to outdoors and equipped with automatic safety pilots; that automatic safety pilots shall be provided on heaters used with propane gas and further that each heater shall bear a label, permanently affixed, reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 75-58-SA."

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

* Correction—Models C 418 and 428 included in the approval.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1014, Municipal Building, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 36

DIRECTORY

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and Chambers Streets, New York 7, N. Y.

TELEPHONE—WHitehall 3-3600, Extensions 2600-2609.

OFFICE HOURS FOR PUBLIC—9 a.m. to 4 p.m.

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Board's New Offices.

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Notice of Hearing Calendar.

Rule to Supplement Section 19-A of the Zoning Resolu-
tion; Appeals as to Multiple Dwellings.

COURT DECISIONS

Matter of Peter Pan Playland, Inc. vs. Board:—Under Calendar Number 168-55-BZ—Vol. II, the Board on April 9, 1957 denied an application for a variance under Section 7c to permit in a retail and residence use district the extension of parking and use at 2601-2629 Emmons Avenue and 2796-2834 East 27th Street, Block 7499, Lots 40 and 80, Borough of Brooklyn. Upon court review, Mr. Justice Hart vacated the order and upheld the decision of the Board without prejudice to the petitioner's right to resort to such remedies as may be advised. (N. Y. Law Journal, May 9, 1958).

Matter of John Minett, et al. vs. Murdock:—On January 14, 1958 the Board granted a variance to permit a gasoline service station at 77-01 to 77-21 North Conduit Avenue, northeast corner of Sutter Avenue, Block 11340, Lot 1, Ozone Park, Borough of Queens; Cal. No. 12-57-BZ. Upon court review Mr. Justice James J. Conroy confirmed the determination of the Board and dismissed the petition and vacated the order, stating among other things the following:

"the court is of the opinion that the petitioners have not demonstrated that there are any triable issues of fact".....
"the record shows that the Board has acted upon a reasonable basis and on sufficient evidence to permit the exercise of discretionary powers under subdivisions (e) and (i) of Section 7 of the Zoning Resolution. Since the Board acted within its jurisdiction and upon substantial evidence, the court cannot set such determination aside and substitute its judgment for that of the administrative body in whom alone such discretion is vested."
(N. Y. Law Journal, August 12, 1958, page 4).

* * * * *

BOARD'S NEW OFFICES

The meeting held July 29, 1958 was the last to be held at the Board's Hearing Room on the tenth floor of the Municipal Building.

The Board's offices on the tenth floor will be dismantled during August preparatory to removal to the Board's new quarters at 80 Lafayette Street, ninth floor, Manhattan, which it is expected will be ready by Wednesday, September 17, 1958 for the first hearing.

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

CALENDAR

DOCKET

New Cases filed up to September 9, 1958

Cal. No. Dept. Premises Affected

508-58-A—F.D.—163 East 70th Street, north side, 224 feet, 4 inches west of 3rd Avenue, Block 1405, Lot 27, Borough of Manhattan, decision re: order 2987-8—Opening in Wall of Garage.

509-58-A—B.M.—659-663 Edgecombe Avenue, west side, 273.4 feet south of Jumel Place, Block 2112, Lots 90-94, Borough of Manhattan, BN 1920-58,—Installation of non-approved Infra Red Drying Oven.

510-58-BZ—B.Bx.—1301 Astor Avenue, northeast corner of Wilson Avenue, Block 4381, Lot 8, Borough of The Bronx, NB 472-58—Proposed building without required setback, residence use, E-1 area district.

511-58-A—B.B.—398-400 Rockaway Avenue, west side, 189 feet 4½ inches north of Pitkin Avenue, Block 3499, Lot 161, Borough of Brooklyn, Alt. 627-58,—Stairway to be provided—Live Load.

512-58-SM—LO-K Foam, low temperature, roof, duct, and perimeter insulation, manufactured by Plasti-Foam Corp., Material.

513-58-AM—Uni-Crest SE beads (Moulded in form of boards, blocks, pipe covering, etc.) for low temperature, roof, duct and perimeter insulation, manufactured by United Cork Companies, Material.

514-58-BZ—B.B.—135 Pierrepont Street, northeast corner of Clinton Street, Block 239, part of Lot 9, Borough of Brooklyn, Alt. 2154-58—Parking of Cars—restricted retail use district.

515-58-SM—Jameco Brass Gas Range Connector, manufactured by Jamaica Mfg. Co., Inc., Material.

516-58-SA—Komline-Sanderson Pneumatic Ejector Systems, single and duplex, Models 30, 50, 75, 100, 150, 200, 250, 300, 350, and 400 GPM, manufactured by Komline-Sanderson Engineering Corp., Appliance.

517-58-SA—Premier Gas-fired Room Heaters, Models 6-15V, 6-20V, 6-30V, 6-40V, with suffix A, t, manufactured by Premier Stove Co., Appliance.

518-58-SA—Medi-Prep Medicine Station, Model 45-6000, manufactured by Market Forge Co., Appliance.

519-58-SA—Vic Century Model 42A, Komet Model 105, Single and Double Bath and Vic Recovery Tumbler Models 64 and 78, Dry Cleaning Units, Manufactured by Vic Manufacturing Co., Appliance.

520-58-A—B.M.—21 West 138th Street, north side, 11 feet, 9½ inches west of 5th Avenue and 16-18 West 139th Street, Block 1736, Lot 27, P.S. 100 and New York Vocational High School, Borough of Manhattan, Decision re: Standpipe System.

521-58-BZ—B.Q.—33-20 Francis Lewis Boulevard, southwest corner of 33rd Avenue, Block 5260, Lot 1, Bayside, Borough of Queens, NB 2771-58, Gasoline Service Station, Lubritorium, Auto Laundry, Parking of Cars, Ground Sign, residence use district.

522-58-BZ—B.Q.—166-15 Willets Point Boulevard, north side, entire block (triangular), bounded by 166th Street and Cross Island Parkway; 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens, NB 2772-58—Gasoline Service Station etc., Parking and Ground Sign—Set Back—Residence use district.

523-58-BZ—B.Q.—117-30 to 117-48 (117-36 official) Farmers Boulevard and 187-22 to 187-34 Baisley Boulevard, southwest corner, Block 12448 Lot 31, Hollis, Borough of Queens, NB 2185-58—Gasoline Service Station etc., Parking, Ground Sign-retail and residence use district.

524-58-A—B.Q.—117-30 to 117-48 (117-36 official) Farmers Boulevard and 187-22 to 187-34 Baisley Boulevard, southwest corner, Block 12448 Lot 31, Hollis, Borough of Queens, NB 2185-58 (under Section 35, General City Law—re premises in bed of mapped street—proposed widening of Baisley Boulevard.)

525-58-A—B.M.—698 2nd Avenue, east side, 32 feet, ¾ inch south of East 38th Street, 1st floor, Block 945, Lot 60, Borough of Manhattan, Alt. 1024-58—Proposed workshop in 1st story rear.

526-58-SM—Pecora Tile-Stik material for adhering ceramic tile, manufactured by Pecora, Inc., material.

527-58-SM—Keydeck Reinforcing Mesh, manufactured by Keystone Steel and Wire Co., Material.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime) ..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior)	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of	Jan. 8, 1957.

CALENDAR

Last Publication

Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Apr. 22, 1952—Vol. 37, No. 17
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 25, 1952—Vol. 37, No. 13A
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 11, 1947—Vol. 32, No. 6
Oil Burner Rules	Nov. 20, 1956.
Opening Protective Assemblies, Rules for Inspection of	May 27, 1954.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—	July 11, 1958.

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

SEPTEMBER 17, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, September 17, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of MacLay Avenue, Block 3991, Lot 67, Borough of The Bronx.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

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98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor. Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars awaiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expired July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

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SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, September 17, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

506-55-SA

APPLICANT—Cole Products Corporation, owner.

SUBJECT—Application June 14, 1955—Cole Spa Coin Operated Automatic Cup Vendor, Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe, approval of.

695-55-SA

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner, Gas-fired Unit Heater, Model FDS-55, approval of.

718-55-SA

APPLICANT—Empire Stove Company, owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C, approval of.

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933-55-SM

APPLICANT—Town House Fabrics Corporation, owner.
SUBJECT—Application November 18, 1955—Hanover Drapery Fabric, approval of.

487-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.
SUBJECT—Application June 21, 1956—Temco Radiant Vented Circulator Room Type Gas Heater, Models 304-4, 604-4 and 754-4, approval of.

488-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.
SUBJECT—Application June 21, 1956—Temco Vented Circulator Room Type Gas Heater, Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4, approval of.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.
SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters and Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184, approval of.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Company, owner.
SUBJECT—Application January 11, 1957—Steelcraft Series 16B and 20B Doors, approval of.

561-57-SA

APPLICANT—Westinghouse Electric Corporation, owner.
SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

131-58-SA

APPLICANT—H. M. Ficker for Enterprise Engine and Machinery Company, owner.
SUBJECT—Application March 13, 1958—Enterprise Combination Gas-oil Burners, Types AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

985-40-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

538-45-SA

APPLICANT—Cyclotherm Division of National U. S. Radiator Corp., owner.
SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.
SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.

SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates ¾ Hour Double-Hung Window; previously approved.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re 1½ Hour Flush Type Door; previously approved.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homar, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wood Batts; previously approved.

286-49-SA

APPLICANT—Maytag Company, owner.
SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers, namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.
SUBJECT—Application reopening and amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door (1¼ inch thick), ¾, 1 and 1½ Hour Rating; previously approved.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.
SUBJECT—Application reopening and amendment of resolution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.
SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.
PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

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463-58-A

APPLICANT—Rodney W. Burton, for Jones and Laughlin Steel Corp., owner.

SUBJECT—Application July 30, 1958—Appeal from a decision of the Borough Superintendent—re Class 5 construction, height excessive.

PREMISES AFFECTED—30-49 and 30-69 Review Avenue, northeast corner of 35th Street, Block 295, Lot 101 and Block 297, Lots 1, 25, 26, 27, Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 23, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol.

II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

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PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.

PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.

PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to

report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

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SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubricatorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Co., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

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691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubricatory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubricatory and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatory, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

77-58-BZ

APPLICANT—Hadyn H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the

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Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

302-41-BZ—Vol. II

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out.

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

Laid over from January 7, 1958 to February 11, 1958, for hearing at the request of the Board of Education, as proposed school site in area has not been determined; then to February 25, 1958, for applicant to file plan and further information as to school site; then laid over for inspection and decision; hearing closed; date for decision to be set; then set for September 30, 1958.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of

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parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for revised plans showing planted area.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant.

HARRIS H. MURDOCK, *Chairman*. **APPLICANT**—Lucien David, for Fred H. Hill, owner.

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958—Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.

CALENDAR

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and show rooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

146-45-BZ—Vol. II

APPLICANT—Joshau Brown for John Swederg, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.

PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to

make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

244-58-BZ

Applicant—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Belle-rose, Borough of Queens.

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class 1 structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

CALENDAR

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an elementary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for

further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1014, Municipal Building, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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No. 37

DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Rule to Supplement Section 19-A of the Zoning Resolution.

PETITION AND ORDER OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On August 12, 1958, Copy of Petition and Order of Certiorari with Notice of Entry, was served on the Board by Harry Grayer, attorney for Petitioner, Yates Construction Corp., objecting property owner, seeking a review of the Board's decision on July 8, 1958 granting a variance under Sections 22-21 and 21 of the Zoning Resolution, to permit on a plot partly in a C area and partly in an E-1 area district, the erection of a six-story multiple dwelling extending into the E-1 area district; the portion in the E-1 area district occupies more than the permitted area, eliminates the required setback and side yard and having less than the required outer court; Cal. No. 209-58-BZ; premises 1140-1146 Pelham Parkway South and 2140-2150 Williamsbridge Road, southeast corner, Block 4310, Lots 1 and 53, Borough of The Bronx.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official either borough superintendent of buildings or fire commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

CALENDAR

DOCKET

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| 528-58-A | B.B. | 1889-1893 Fulton Street, north side, 103 feet, 2¼ inches east of McDougal Street, Block 1530, Lot 19, Borough of Brooklyn, Alt. 2160-58—Frame Structure within fire limits. |
| 529-58-A | F.D. | 121-133 Sutton Street, west side, 92 feet south of Norman Avenue, Block 2658, part of Lot 1, Borough of Brooklyn, Decision re: use of approved oven for drying of combustible material. |
| 530-58-A | B.Bx. | 838 Gerard Avenue, east side, 236 feet, 5 inches south of East 161st Street, 2nd floor, Block 2474, Lot 32, Borough of The Bronx—Alt. 846-57—Class rooms and Rabbinical office on second floor of a three story non-fireproof building. |
| 531-58-BZ | B.B. | 170-180 McKinley Avenue, and 408-414 Autumn Avenue, southwest corner, Block 4170, Lot 21, Borough of Brooklyn, Alt. 2426-58—Parking and storage of more than five motor vehicles, residence use district. |
| 532-58-SM | | Universal Air-Entraining Portland Slag Cement, manufactured by Universal Atlas Cement Division of United State Steel Corp., Material. |
| 533-58-SM | | Universal Portland Slag Cement, manufactured by Universal Atlas Cement Division of United States Steel Corp., Material. |
| 534-58-A | B.M. | 379-391 Pearl Street, west side, 98 feet 8½ inches south of Vandewater Street, Block 113, Lots 23, 24 and 25, Borough of Manhattan, BN 1854-57—Stairs. |
| 535-58-BS | B.Q. | 23-25 31st Street, east side, 75 feet north of 23rd Road, Block 835, Lot 27, Astoria, Borough of Queens—N.B. 2770-58—Gasoline Service Station, Lubritorium, Auto Laundry (non-automatic), Parking of cars, and Ground sign, business use district. |

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

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Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
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Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	June 7, 1932—Vol. 17, No. 23
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased in Room 1014, Municipal Building, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

SEPTEMBER 17, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Wednesday morning, September 17, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning

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Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Macloy Avenue, Block 3991, Lot 67, Borough of The Bronx.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district,

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the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars awaiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expired July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homecrest Avenue, west

side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a

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local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 17, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Wednesday afternoon, September 17, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

506-55-SA

APPLICANT—Cole Products Corporation, owner.

SUBJECT—Application June 14, 1955—Cole Spa Coin Operated Automatic Cup Vendor, Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe, approval of.

695-55-SA

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner, Gas-fired Unit Heater, Model FDS-55, approval of.

718-55-SA

APPLICANT—Empire Stove Company, owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C, approval of.

933-55-SM

APPLICANT—Town House Fabrics Corporation, owner.

SUBJECT—Application November 18, 1955—Hanover Drapery Fabric, approval of.

487-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.

SUBJECT—Application June 21, 1956—Temco Radiant Vented Circulator Room Type Gas Heater, Models 304-4, 604-4 and 754-4, approval of.

488-56-SA

APPLICANT—G. R. Darche, for Temco Inc., owner.

SUBJECT—Application June 21, 1956—Temco Vented Circulator Room Type Gas Heater, Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4, approval of.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.

SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Company, owner.

SUBJECT—Application October 16, 1956—Wing Gas-fired Unit Heaters and Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184, approval of.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Company, owner.

SUBJECT—Application January 11, 1957—Steelcraft Series 16B and 20B Doors, approval of.

561-57-SA

APPLICANT—Westinghouse Electric Corporation, owner.

SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

131-58-SA

APPLICANT—H. M. Ficker for Enterprise Engine and Machinery Company, owner.

SUBJECT—Application March 13, 1958—Enterprise Combination Gas-oil Burners, Types AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

985-40-SM—Vol. III

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

538-45-SA

APPLICANT—Cyclotherm Division of National U. S. Radiator Corp., owner.

SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application reopening and amendment of reso-

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lution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.
SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates $\frac{3}{4}$ Hour Double-Hung Window; previously approved.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re $1\frac{1}{2}$ Hour Flush Type Door; previously approved.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homar, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wood Batts; previously approved.

286-49-SA

APPLICANT—Maytag Company, owner.
SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers, namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.
SUBJECT—Application reopening and amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door ($1\frac{1}{4}$ inch thick), $\frac{3}{4}$, 1 and $1\frac{1}{2}$ Hour Rating; previously approved.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.
SUBJECT—Application reopening and amendment of reso-

lution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.
SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.
PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

463-58-A

APPLICANT—Rodney W. Burton, for Jones and Laughlin Steel Corp., owner.
SUBJECT—Application July 30, 1958—Appeal from a decision of the Borough Superintendent—re Class 5 construction, height excessive.
PREMISES AFFECTED—30-49 and 30-69 Review Avenue, northeast corner of 35th Street, Block 295, Lot 101 and Block 297, Lots 1, 25, 26, 27, Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 23, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.
SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.
PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.
SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.
PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso, owner.

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SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business

use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.

PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.

PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the

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Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Park-

way, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 23, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto

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showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubricatorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Co., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubricatory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubricatorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction

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for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.
PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trendina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

77-58-BZ

APPLICANT—Hady H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

302-41-BZ—Vol. II

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out.

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392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

Laid over from January 7, 1958 to February 11, 1958, for hearing at the request of the Board of Education, as proposed school site in area has not been determined; then to February 25, 1958, for applicant to file plan and further information as to school site; then laid over for inspection and decision; hearing closed; date for decision to be set; then set for September 30, 1958.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for revised plans showing planted area.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

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SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958—Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and show-rooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

146-45-BZ—Vol. II

APPLICANT—Joshau Brown for John Swederg, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.

PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

CALENDAR

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Belle-rose, Borough of Queens.

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an elementary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in

CALENDAR

occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

HARRIS H. MURDOCK, *Chairman.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 8, 1958, as they appeared in Bulletin No. 28, Vol. 43, hereby corrected to read as follows:

299-58-A

APPLICANT—Lama, Proskauer and Prober, for Morris Cohen, owner.

SUBJECT—Application April 14, 1958—Appeal from a decision of the Borough Superintendent, re stairs, live load, etc.

PREMISES AFFECTED—307-311 East 115th Street, north side, 100 feet east of 2nd Avenue, Block 1687, Lot 5, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Cohen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commission Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated March 17, 1958 on Alt. Applic. 1695/56 reads:

"2. Provided two enclosed stairs both leading to roof and street Sec. C26-273.0 A.C.

3. 2nd & 3rd floors must have live load capacity of 120 lbs. per square foot—Sec. C26-345.0 A.C."

and
WHEREAS, the applicant states that the building is 3 stories, 40 feet 4 inches in height, 75 feet by 96 feet 11 inches in area, of class 3 construction, erected prior to 1895, located on a lot 75 feet front by 100 feet 11 inches in depth, in a residence use, B area, class 1½ height district, and used and occupied: cellar—boiler room now vacant and storage; 1st floor—furniture showroom now vacant; 2nd floor—furniture showroom now vacant; 3rd floor—furniture showroom now vacant; that it is proposed to be used and occupied as

follows: cellar—boiler room, storage and toilets; 1st floor—supermarket, 74 persons; 2nd floor and third—storage, no persons; that the building is provided with two existing wood stairs; fire retarded and fireproof enclosed, equipped with fireproof self-closing doors, extending to roof bulkhead, 1 stairs extends to street, in addition there is 1 fire escape on the front extending to street by ladder; that windows and doors on the course of the fire escape, are fireproof self-closing; and

WHEREAS, the applicant states that Application Number 375 of 1895 indicates that the building is an existing building used as a stable under Alt. Applic. 3336/20 the use was changed from stable and junk shop to public garage, and temporary certificate of occupancy was issued February 8, 1922 permitting part of the 1st floor to be used as a garage and repair shop; that on July 12, 1923 certificate of occupancy was issued for storage in the basement, stable, garage and repair shop on the 1st floor and stable on 2nd and 3rd floors; that on April 5, 1921 the Board granted a variance to permit structural alterations and the use of the building as a public garage; that Certificate of Occupancy 8886/24 was issued permitting the following use: Cellar—storage; 1st, 2nd and 3rd floors—garage for more than 5 motor vehicles; that Alt. Applic. 637/53 was filed to enclose some stairways and improved the exit facilities; that Certificate of Occupancy 42516 was issued April 22, 1954 permitting the following use: Cellar—boiler room and storage; 1st, 2nd and 3rd floors—furniture showrooms; and

WHEREAS, the applicant contends as to Objection #2 issued by the Borough Superintendent, that the building is provided with 2 enclosed stairways, one from roof to street and the second from roof to the 2nd floor and then to a fire escape provided with sliding drop ladder to the street; that the building is provided with an elevator from 3rd floor to the 1st floor; that the 2nd and 3rd floors will have no permanent occupancy and will be used only for the storage of groceries sold in the supermarket on the 1st floor; that the proposed use is not hazardous and therefore the exits are adequate; and

WHEREAS, the applicant contends as to Objection #3 issued by the Borough Superintendent, that the 2nd and 3rd floors have a live load capacity of 100 lbs, per square foot; that this load will be posted and will not be exceeded; and

WHEREAS, the premises was inspected by a committee of the Board and the Committee recommended that the change of use as proposed should be permitted under certain conditions.

Resolved, that the decision of the Borough Superintendent, dated March 17, 1958, acting on Alt. App. 1695-56 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the resolution adopted this day under Cal. No. 298-57-BZ, Vol. II shall be complied with, including the requirement that both enclosed stairs shall lead to the roof and that the liveload per superficial foot of each floor shall be not less than 100 pounds.

*Correction—In the resolution, the liveload per superficial foot of each floor changed from 120 pounds to 100 pounds.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 6, 1958, as they appeared in Bulletin No. 19, Vol. 43, hereby corrected to read as follows:

446-24-BZ—Vol. II

APPLICANT—James J. Lyons, Jr., for Rose Orzo, owner.

SUBJECT—Application reopened April 9, 1957 as Vol. II—decision of the Borough Superintendent under sections

MINUTES

7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, facilities for car washing and minor repairs, an office and salesroom and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—772-798 East 185th Street and 2337-2349 Southern Boulevard, southwest corner, Block 3114, Lots 17, 19, 21, 23, 25 and 26, Borough of The Bronx.

APPEARANCES—

For Applicant: James J. Lyons, Jr., and John J. Lynch.
For Opposition: Abraham L. Banner.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commission Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 9, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on April 22, 1958 after due notice by publication in the Bulletin; laid over to May 6, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 26, 1957 acting on N.B. Applic. No. 88-57, reads:

"1. Proposed use of gasoline and oil selling station, lubritorium, car washing minor repairs, office, sales room, parking & Storage of more than five motor vehicles in a residence use district is contrary to Art II, Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 131.56 feet frontage by 183.5 feet in depth, presently vacant, except for five commercial billboard; that it is proposed to erect a gasoline service station with lubritorium, facilities for car washing and minor repairs, an office and salesroom, and the parking and storage of more than five motor vehicles; and

WHEREAS, the applicant further states that Southern Boulevard on the west side, from Fordham Road south to the site in question, and for several blocks further south, is bordered by small retail stores, gas stations and multiple dwellings; that the erection of a modern gas station would not only be of great value to the thousands of commercial and private vehicle operators who pass this corner daily, as well as neighborhood motorists, but would generally enhance the appearance of Southern Boulevard by substituting a clean, well designed and well equipped structure for a shabby and neglected empty lot; and

WHEREAS, the applicant contends that the Bronx Zoo, which is directly opposite the site in question, is privately owned and controlled by the New York Zoological Society and hence not within the purview of the language of Section 21A; that the entrance at 185th Street is not a public entrance, but is for the use of park employees who drive their vehicles to work; that a small parking area immediately within the gate is provided for such employees' use and a uniformed guard is stationed at the gate to exclude any but employees of the park from using the entrance; that the attitude of the Park Department towards the proposed use was explored and a letter from the Department

signed by the Commissioner states that there is no public park or zoo entrance at this point and they consequently have no legal ground upon which they can object to a filling station under proper conditions; that the Park Commissioner stated that he had discussed the proposed use of the property with officials of the New York Zoological Society, and not only were they not opposed to such use, but they believed that a filling station and parking facilities might be beneficial to them; and

WHEREAS, the applicant states that the present owner has held title to the property since February 13, 1957 and that the assessed valuation of land is \$39,600; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7e for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and parking area, as proposed and as indicated on plans filed with this application, marked "Received March 22, 1957", 5 sheets "May 21, 1957", 1 sheet, and "March 7, 1958", 1 sheet, on condition that all buildings and uses now on the site shall be removed and the premises leveled substantially to the grade of Southern Boulevard; that the accessory building and car washing building shall be constructed as proposed on such plans and shall meet the requirements of the Building Code in all respects, shall be faced with face brick on all sides and without a cellar; that along the lot lines there shall be erected and maintained a woven wire fence of the chain link type erected on a masonry base to a total height of not less than 5 feet, 6 inches; that such fence may be omitted on the street building lines of Southern Boulevard and East 185th Street; that curb cuts shall be restricted to two, each 30 feet in width to East 185th Street, where shown an three of similar width to Southern Boulevard, with no portion of a curb cut nearer than 5 feet to a side lot line as prolonged; that gasoline pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line of Southern Boulevard; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the premises where not occupied by accessory building and pumps shall be paved with concrete or asphalt; that the sidewalks and curbing abutting the site shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7h there may be parking in the rear as proposed for pleasure cars only and for a similar term; that under Section i, there may be for a similar term, minor repairing with hand tools only, carried on in the accessory building only and for minor adjustments; that signs shall be restricted to a permanent sign attached to the facade of the accessory building and the illuminated globes of the pumps, excluding all temporary signs, advertising devices and roof signs but permitting the erection within the intersection of one standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line at right angles to Southern Boulevard not more than 4 feet; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

* Correction—In the resolution, permission under Section 7i for the inclusion of minor repairing, as indicated in italics.

BOARD OF STANDARDS AND APPEALS
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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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DIRECTORY

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TELEPHONE—WHitchall 3-3600, Extensions 2600-2609, 2769-2770 and 3020-3024.

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Rule to Supplement Section 19-A of the Zoning Resolution.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the Administrative Official either Borough Superintendent of Buildings or Planning Commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held at 80 Lafayette Street, Borough of Manhattan.

CALENDAR

DOCKET

New Cases filed up to September 16, 1958

Cal. No. Dept. Premises Affected
536-58-BZ—B.M.—320-336 Park Avenue, west side, from East 50th to East 51st Streets, 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan, Amendment to N.B. 42-58—building does not conform to height district, restricted and retail use district.

537-58-BZ—B.Bx.—32-34 West Mount Eden Avenue, southwest corner of Inwood Avenue, Block 2865, Lot 53, Borough of The Bronx, Alt. 100-58—dry cleaning establishment—retail use district.

538-58-BZ—B.Bx.—628-630 Crescent Avenue, south side, 128 feet west of Belmont Avenue, Block 3087, Lots 11-19, Borough of The Bronx—Alt. 440-58—auto repair shop, extension of gasoline service station and parking and storage for more than five cars—business and residence use district.

539-58-BZ—B.Q.—147-57 41st Avenue and 41-02 149th Street, northwest corner, Block 5027, Lot 1, Flushing, Borough of Queens—Alt. 2147-58—factory in a frame structure—local retail use district.

540-58-A—B.Q.—147-57 41st Avenue and 41-02 149th Street, northwest corner, 1st floor, Block 5027, Lot 1, Flushing, Borough of Queens, Alt. 2147-58—frame building for a factory.

541-58-SA—Chem-Therm Cleaners, Models M2, T and XLA, manufactured by Chem-Therm Manufacturing Co., Appliance.

Restored to Docket

190-47-SM—Fenestra Holorib Roof Deck (reopened for test and report as to additional models), manufactured by Fenestra Inc., Material.

1069-47-SM—Fenestra Fireshield Hollow Metal Doors, $\frac{3}{4}$ and $1\frac{1}{2}$ hour (reopened for test and report as to additional model), manufactured by Detroit Steel Products Co., Material.

334-56-SM—Terson 4212, FRS-MRS, for folding doors in places of public assembly (reopened for test and report as to additional models), manufactured by Athol Manufacturing Co., Material.

907-54-SM—Eljer Co., Anti-Syphon Ballcock, Model E-9861 (reopened for test and report as to additional model), manufactured by Eljer Co., Material.

516-51-SA—Peerless Cuspidor, Model C, cuspidor is part of a dental operating unit used in dentistry (reopened for test and report), manufactured by Peerless Appliance Company, Inc., Appliance.

805-51-SM—B. P. C. Masonry Units manufactured with waylite as the aggregate (reopened for test and report as to additional sizes of block), manufactured by Stefer Corp., Material.

121-51-SM—1-B Master Anti-Siphonic Ballcock (reopened for restoration, test and report), manufactured by Coast Foundry and Manufacturing Co., Material.

29-51-SM—USG Flattened Gratex, Projection mesh (reopened for test and report as to additional weights and metals), manufactured by United States Gypsum Company, Material.

1550-39-SM—Weatherwood Insulating Fire Board and Samson Insulating Fibre Board (reopened for test and report as to excluding let-in brace), manufactured by United States Gypsum Company, Material.

788-47-BZ—Vol. III—B.B.—137-149 Kings Highway and 1640-1652 West 13th Street, northwest corner, Block 6618, Lots 22, 24 and 26, Borough of Brooklyn, N.B. 964-58—gasoline service station, auto-washing—non-automatic lubrication, parking and storage of more than five motor vehicles; show window and sign, etc.—business and residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of	Jan. 8, 1957.
Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Apr. 22, 1952—Vol. 37, No. 17
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 25, 1952—Vol. 37, No. 13A
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 11, 1947—Vol. 32, No. 6
Oil Burner Rules	Nov. 20, 1956.
Opening Protective Assemblies, Rules for Inspection of	May 27, 1954.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—	July 11, 1958.

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Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

SEPTEMBER 23, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, September 23, 1958*, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoroso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Placc, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the presnt one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second

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story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.

PREMISES AFFECTED—101 Thompson Street, west side, 172 feet 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.

PREMISES AFFECTED—42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board

what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location.

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners. 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 23, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application reopening and amendment of reso-

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lution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Application April 29, 1957—filed pursuant to Section 310 of the Multiple Dwelling Law for variation of Section 12 of the Multiple Dwelling Law and an appeal from a decision of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor. Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the

Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

Postponed from September 17, 1958, to September 30, 1958, at request of objector.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubritorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Co., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

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PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubricatory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unre-

stricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubricatorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

77-58-BZ

APPLICANT—Hady H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third

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floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.
SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

302-41-BZ—Vol. II

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out.

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

Laid over from January 7, 1958 to February 11, 1958, for hearing at the request of the Board of Education, as proposed school site in area has not been determined; then to February 25, 1958, for applicant to file plan and further information as to school site; then laid over for inspection and decision; hearing closed; date for decision to be set; then set for September 30, 1958.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

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780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for revised plans showing planted area.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for in-

spection and decision; hearing closed; then to September 30, 1958, at the request of the applicant.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail; then to September 30, 1958, for inspection and decision; hearing closed.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

Laid over to September 30, 1958, for inspection and decision; hearing closed.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

Laid over from September 17, 1958 to September 30, 1958, for inspection and decision; hearing closed.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II

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—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

Laid over from September 17, 1958 to September 30, 1958, for inspection and decision; hearing closed.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage

and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

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203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958—Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.
SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and show-rooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

146-45-BZ—Vol. II

APPLICANT—Joshua Brown for John Swederg, owner.
SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.

PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Belle-ros, Borough of Queens.

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25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.
SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an elementary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of

more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th

CALENDAR

Street, Block 6307, Lot 18, Bayside, Borough of Queens.
Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.
SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans; then to October 7, 1958, at request of the applicant, for possible withdrawal for conforming use.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, October 15, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.
SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector.

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958—as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

CALENDAR

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

122-58-BZ

APPLICANT—Herman Horowitz, for Berno Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 28, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 28, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the local Board.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

WEDNESDAY MORNING,

SEPTEMBER 17, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, July 22, 1958 and Tuesday morning July 29, 1958 were approved as printed in the Bulletins of July 29, 1958 and August 5, 1958, Vol. 43, Nos. 30 and 31.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner, Northern Boulevard and 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Joseph Dunn, Margaret Dunn and Lena Incorvaia.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. at request of the applicant, to file revised plans; hearing previously closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A.M. for decision; applicant to be notified; hearing previously closed.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy and Alfred A. Lama.

For Opposition: John Rimmer, Sam Rubin, H. Hansen, A. E. Olsen, Harold Byrnes, Rocco P. Tricarico, John L. Fopeano, Mrs. M. Tasso, Mrs. R. Catanzaro, Mrs. J. Cacioppo, Anna Cap, Katherine Morgan, John A. Lieto, Ralph Lamarno, Mary Seniw, Frances Micalizio, Pearl Sheinkupf, Rose Competello, Lauretta Meany, Mathilde Weidig, Agnes A. Stowe, Domenico Preziosi, Michael Liso, Frank Russo and Raphael H. Weissman, attorney.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of (15) fifteen years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

APPEARANCES—

For applicant: Alfred A. Lama and Harold Sager.

For Opposition: Dorothy Gersh, Jennie Magliano, Goldie Herman, Sylvia Godnick, Ned Feldhohn, Bertha Salzman, Edith Katz, Belle Kirshner, Rae Klein, Susan Zimmerman, Jean Gish, B. Goldie, May Keeler, Ethel Ware, Sibylla Schmitt, Thomas Diamond, Fay Fasullo, Hugh J. Reilly, Frances Tucker and Shirley Cohen.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage by the substitution of light manufacturing in the place of the storage of canned goods.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Roe and Kramer and Irving Milchman.

For Opposition: Ada Morton, Emma Jara, Anna Batka, Marie Babroski, Kathleen A. Nylin and Theresa V. Schaefer.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

MINUTES

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Maury Oleck.

For Opposition: Mrs. G. L. Fraga.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Co., owner.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking of more than five (5) motor vehicles, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: Pasquale P. Caiazza.

For Administration: Edward Hoffman, Dept. of Parks.

ACTION OF BOARD—Laid over, date to be set for possible withdrawal; hearing closed.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Opposition: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: S. Carr.

For Opposition: Leo J. Stewart, D. F. Davis, Albert L.

Fikmin, Ernest M. Randall, William A. Robinson, Joseph Gitoli, Rosa Gitali, Albert White, Thomas E. Mitchell, T. M. Casazza, Consuelo Firmin, Rose Joseph and Ernest Medlin.

ACTION OF BOARD—Postponed to October 15, 1958, at 10 A.M. for hearing at request of objector.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A.M. at request of the applicant, for possible withdrawal for conforming use.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs and minor adjustment with hand tools only, automatic auto laundry, **simonizing room and parking of vehicles awaiting service.**

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Segal, Hermann Rogge and Maury Oleck.

For Opposition: Charles A. Heeg.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. at request of objector, awaiting action of the local Board.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Segal, Hermann Rogge and Maury Oleck.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. for further consideration in conjunction with Cal. No. 973-57-BZ.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the

MINUTES

Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh and William Pennington.
For Opposition: David Palmer, Monroe M. Rosenthal, Leo Harrison, Joseph D. Abrams, Lawrence J. Mulhauser, Raymond C. Healy and William J. Dickel.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

APPEARANCES—

For Applicant: Harry M. Garson and Bertha G. Levine.
For Opposition: Frederick I. Levy.

ACTION OF BOARD—Laid over, date to be set; applicant to furnish Board with plans and photographs; hearing closed.

67-58-BZ

APPLICANT—Joseph W. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of MacLay Avenue, Block 3991, Lot 67, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph W. Genzardi and Armando Migliore.

For Opposition: A. Bernard King, attorney, Arthur Fonzo, Ray Longo, Frank Longo, Gabriel Roman, Gactano Okinsario, Louis Tamburino, Carmine Macchia and Charles A. Ciani.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Crinnion and Stanley M. Wal-lins.

For Opposition: Sidney Meilman.

ACTION OF BOARD—Postponed to September 30, 1958, at 10 A.M. at the request of an objector, applicant concurring.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73-31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Albert Greenblatt and Howard M. Norris.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale banana and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A.M. for inspection and decision; hearing closed.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars waiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Mrs. Shirley E. Asmus, Mr. H. Asmus, Rose Avellino and Otto Asmus.

ACTION OF BOARD—Laid over, date to be set for inspection and decision; hearing closed.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an

MINUTES

existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: George A. Wokanick, and John Nucatola.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Postponed to September 30, 1958, at 10 A.M. at request of objector.

862-56-BZ

APPLICANT—Morris Brody, for the Long Island Railroad Co., owner.

SUBJECT—Application December 18, 1956—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in an unrestricted and residence use district, the extension of a parking lot from the unrestricted portion to the residence portion of the plot.

PREMISES AFFECTED—1708-1726 Brooklyn Avenue, west side, 417 feet 6 inches north of Avenue I, Block 7580, part of Lot 26 and Block 7581, Lot 27, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles F. Lincoln.

For Opposition: None.

ACTION OF BOARD—Dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

326-41-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Margharita Boccia, owner.

SUBJECT—Application reopened July 1, 1958 for consideration as to extension of time to complete—expires July 9, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the proposed continued use of a frame building for 7 car garage.

PREMISES AFFECTED—2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, on November 14, 1956, this application was granted by the Board on certain conditions, under Section 7e of the Zoning Resolution, to permit in a residence use district the proposed continued use of a frame building for a seven car garage, affecting premises 2222 Homecrest Avenue, west side, 180 feet south of Avenue V, Block 7372, Lot 16, Borough of Brooklyn; and

WHEREAS, the applicant requested reopening of this application and extension of time to obtain permits and complete the work, which had expired by time limitation January 9, 1958; and

WHEREAS, this application was reopened on July 1, 1958 and set for hearing on September 17, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except

a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated June 9, 1958 acting on Alt. Applic. No. 4377-54, reads:

"1. Time for completion has expired. Obtain approval from Bd. of St. & Appeals Cal. 326-41-BZ."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on October 15, 1941 as thereafter amended by resolutions adopted through July 9, 1957, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of statement by the applicant that the work has been completed and additional time is required to obtain a Certificate of Occupancy, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this resolution." Alt. App. 4377-54.

Adjourned: 3:15 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

WEDNESDAY AFTERNOON, SEPT. 17, 1958, 2 P.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

985-40-SM—Vol. I, II and III

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application reopened June 3, 1958 for amendment of resolution as to additional trade name and additional size of metal pan—re Gold Bond Acoustical Products—Travacoustic and Acousti-Metal System (fireproof ceiling finish); previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper . . . 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 985-40-SM—Vols. I, II and III.

Subject: Amendment to resolution as to additional trade name and additional size of metal pan.

National Gypsum Company, Buffalo, New York, requested by letter dated May 12, 1958 that the resolution adopted October 22, 1940 and amended at various times through May 22, 1956 under Calendar Number 985-40-SM—Vol. I and II be amended so as to include additional size of metal pans and additional trade name. The application was reopened by a vote of the Board June 3, 1958.

Description

The requested pans are made of the same gauge metal as the approved pans. The only difference being in the size; the requested pans being 12 inches by 12 inches in addition to the 12 inches by 24 inches.

Recommendation

The Committee on Test recommends that the resolution adopted October 22, 1940 and as amended at various times through May 22, 1956 under Calendar Number 985-40-SM—

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Vol. I, II and III be amended so as to include the additional Acoustimetal Pan in a size of 12 inch by 12 inch and further that the Acoustimetal Pans, sizes 12x12 inches and 12x24 inches may be marketed under the additional trade name of Panatone on condition that the requirements of the resolution adopted October 22, 1940 under Calendar Number 985-40-SM—Vol. I be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of October 22, 1940 through May 22, 1956 in accordance with the above report.

506-45-SM

APPLICANT—County Fire Door Corporation, owner.
SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Associates ¾ Hour Double-Hung Window; previously approved.

APPEARANCES—

For Applicant: Marlene Lawner.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE—To Reopen.

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0

Absent: Vice-Chairman Keating 1

THE VOTE—To Amend.

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 506-46-SM.

Subject: Amendment to resolution as to change of ownership.

County Fire Door Corporation requested by filing an affidavit dated June 23, 1958 that the resolution adopted July 9, 1946 under Calendar Number 506-56-SM be amended so as to show a change of ownership as the County Fire Door Corporation purchased from Pioneer Fireproof Door Corp. all the equipment, rights and assets.

Recommendation

The Committee on Test recommends that the resolution adopted July 9, 1946 under Calendar 506-45-SM be reopened and amended so as to show a change of ownership; the new owner being County Fire Door Corporation on condition that the requirements of the resolution adopted July 9, 1946 under Calendar Number 506-45-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 9, 1946 in accordance with the above report.

538-45-SA

APPLICANT—Cyclotherm Division of National U.S. Radiator Corp., owner.

SUBJECT—Application reopened March 20, 1956 for amendment of resolution as to preheater as a component part—re Cyclotherm Steam Generator (oil burner) Models OHM and OL; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 538-45-SA.

Subject: Amendment to resolution as to preheater as a component part.

Cyclotherm Division of National U. S. Radiator Corporation, Oswego, New York, requested by letter dated February 15, 1956 that the resolution adopted December 11, 1945 be amended so as to permit a Wells Oil Preheater, Model CAAQ to be used as a component part of the steam generator.

Recommendation

The Committee on Test recommends that the resolution adopted December 11, 1945 under Calendar Number 538-45-SA be amended so as to permit the use of a Wells Preheater, Model CAAQ as a component part of the Cyclotherm Steam Generator on condition that the resolution adopted December 11, 1945 under Calendar Number 538-45-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 11, 1945 in accordance with the above report.

488-46-SA

APPLICANT—Bryant Heater Company Division of Carrier Corporation, owner.

SUBJECT—Application reopened May 29, 1956 for amendment of resolution to include a new model gas-fired boiler, namely Model 446—re Bryant Gas-fired Steam or Water Boiler, Model 443; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 488-46-SA.

Subject: Amendment to resolution to include a new model gas-fired boiler.

Bryant Heater Company Division of Carrier Corporation requested by letter dated May 17, 1956 that the resolution adopted September 27, 1949 under Calendar Number 488-46-SA be amended so as to include a new model 446 Gas-Fired Steam or Water Boiler. The application was reopened by a vote of the Board May 29, 1956.

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Description

The model 446 Boilers are similar to the Model 443 Boilers previously approved by the Board September 27, 1949 under Calendar Number 488-46-SA.

The new models have a new exterior trim and appearance. No change has been made in the controls.

Recommendation

The Committee on Test recommends that the resolution adopted September 27, 1949 under Calendar Number 488-46-SA be amended so as to include the Model 446 Bryant Gas-Fired Steam or Hot Water Boilers on condition that the requirements of the resolution adopted September 27, 1949 under Calendar Number 488-46-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 27, 1949 in accordance with the above report.

500-47-SM

APPLICANT—County Fire Door Corporation, owner.

SUBJECT—Application reopening and amendment of resolution as to change of ownership—re 1½ Hour Flush Type Door; previously approved.

APPEARANCES—

For Applicant: Marlene Lawner.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice-Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 500-47-SM.

Subject: Amendment to resolution as to change of ownership.

County Fire Door Corporation requested by filing an affidavit dated June 23, 1958, that the resolution adopted July 9, 1946 under Calendar Number 500-47-SM be amended so as to show a change of ownership as the County Fire Door Corporation purchased from Pioneer Fireproof Door Corporation all the equipment, rights and assets.

Recommendation

The Committee on Test recommends that the resolution adopted July 9, 1946 under Calendar Number 500-47-SM be reopened and amended so as to show a change of ownership, the new owner being County Fire Door Corporation, on condition that the requirements of the resolution adopted July 9, 1946 under Calendar Number 500-47-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 9, 1946 in accordance with the above report.

619-48-SM

APPLICANT—American Rock Wool Corporation, owner.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to additional thickness of wool batts and permission to market under additional trade names—re Homart, Wards, Red Top, Barrett, Carey and Celotex Granulated Mineral Wool and Mineral Wool Battis; previously approved.

APPEARANCES—

For Applicant: C. B. Setterberg.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 619-48-SM.

Subject: Amendment to resolution as to additional thickness of wool batts and permission to market under additional trade names.

American Rock Wool Corporation, Chicago, Illinois, requested by letter dated May 19, 1958 that the resolution adopted July 12, 1949 under Calendar 619-48-SM be amended so as to include additional thickness of rock wool batts and permission to market under additional trade names. The application was reopened by a vote of the Board June 10, 1958.

Description

The approved batts were of 2 and 3 inch thickness. The requested batts range in thickness from ½ inch to 8 inches and the densities range from 1½ to 12 pounds per cubic foot. The batts are either non-reflective or reflective enclosed and open faced batts.

Recommendation

The Committee on Test recommends that the resolution adopted July 12, 1949 be amended so as to include rock wool batts of thickness ranging from 1½ inch to 8 inches and of a density of 1½ to 12 pounds per cubic feet as herein described and further this material may be marketed under the following trade names;

Thermafiber by the American Rock Wool Corporation;
Red Top by the United States Gypsum Company;
Barrett by the Barrett Division;
Celotex by the Celotex Corporation;
Homart by Sears, Roebuck Company;
Wards by Montgomery Ward Company;

on condition that the requirements of the resolution adopted July 12, 1949 under Calendar Number 619-48-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 12, 1949 in accordance with the above report.

286-49-SA

APPLICANT—Maytag Company, owner.

SUBJECT—Application reopening and amendment of resolution as to additional Models of automatic washers,

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namely Models 141, 142, 132, 131 and 124—re Maytag Automatic Washer, Model AMP; previously approved.

APPEARANCES—

For Applicant: Filbert F. Simonds Jr.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 286-49-SA.

Subject—Amendment to resolution as to additional models of automatic washers.

Maytag New York Company Inc., New York City requested by letter dated April 18, 1958 that the resolution adopted July 12, 1949 and as amended through September 17, 1957 under Calendar Number 286-49-SA Vol. I and II be amended so as to include the additional models of automatic washers.

Purpose

The appliance is an automatic clothes washing machine, (9 lbs.).

Description

The requested models are basically the same as the models previously approved except for cabinet styling. The water supply feature is identical to the models previously approved.

Recommendation

The Committee on Test recommends that the resolution adopted July 12, 1949 and as amended through September 17, 1957 under Calendar Number 286-49-SA be reopened and amended so as to include the additional models of automatic washers namely models 141, 142, 132, 131 and 124 on condition that the requirements of the resolution adopted July 12, 1949 and amended through September 17, 1957 under Calendar Number 286-49-SA Vol. I and II be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of July 12, 1949 through September 17, 1957 in accordance with the above report.

349-52-SA—Vol. II

APPLICANT—Surface Combustion Corporation, owner.
SUBJECT—Application reopened January 14, 1958 for amendment of resolution as to additional models, namely Models BCC-300, BCC-400, BCC-500, BCCL-400 and BCCL-500—re FES-05, Series FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heater, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05; previously approved.

APPEARANCES—

For Applicant: Thomas J. Burke and Kenneth G. Hull.
ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: Commissioner Kleinert 1
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 349-52-SA Vol. II.

Subject: Amendment to resolution as to additional models.

Surface Combustion Corporation, Columbus, Ohio, requested by letter dated December 12, 1957 that the resolution adopted November 12, 1952 under Calendar Number 349-52-SA Vol. I and amended June 2, 1953, February 26, 1957, November 19, 1957 under Calendar Number 349-52-SA Vol. II be amended so as to include the BCC-300, BCC-400, BCC-500, BCCL-300, BCCL-400, and BCCL-500 Winter Air Conditioners. The application was reopened by a vote of the Board, January 14, 1958.

Purpose

Gas fired warm air furnaces.

Description

The new models are similar to the BCC and BCCL models previously approved under Calendar Number 349-52-SA Vol. II, except for a re-arrangement of the primary and secondary air openings and also the relief openings for the down draft diverter.

The numeral in the model designation indicates the heat input rating of the appliance in thousands of Btu. per hour. These appliances have been approved by the American Gas Association.

Recommendation

The Committee on Test recommends that the resolution adopted November 12, 1952 under Calendar Number 349-52-SA Vol. I and amended June 2, 1953, February 26, 1957 and November 19, 1957 under Calendar Number 349-52-SA Vol. II be amended so as to include the BCC-300, BCC-400, BCC-500, BCCL-300, BCCL-400 and BCCL-500 Winter Air Conditioners on condition that the requirements of the resolution adopted November 12, 1952 under Calendar Number 349-52-SA Vol. I be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of November 12, 1952 through November 19, 1957 in accordance with the above report.

627-52-SM

APPLICANT—County Fire Door Corporation, owner.

SUBJECT—Application reopening and amendment of resolution as to change of ownership—re Pioneer One and One Half Hour Test Panel Kalamein Doors; previously approved.

APPEARANCES—

For Applicant: Marlene Lawner.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test.

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REPORT OF COMMITTEE ON TEST

Re: Calendar Number 627-52-SM.

Subject: Amendment to resolution as to change of ownership.

County Fire Door Corporation requested by filing an affidavit dated June 23, 1958 that the resolution adopted May 18, 1954 under Calendar Number 627-52-SM be amended so as to show a change of ownership as the County Fire Door Corporation purchased from Pioneer Fireproof Door Corporation all the equipments, rights and assets.

Recommendation

The Committee on Test recommends that the resolution adopted May 18, 1954 under Calendar Number 627-52-SM be reopened and amended so as to show a change of ownership; the new owner being County Fire Door Corporation, on condition that all requirements of the resolution adopted May 18, 1954 under Calendar Number 627-52-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 18, 1954 in accordance with the above report.

580-53-SM

APPLICANT—Superior Fireproof Door & Sash Company, Inc., owner.

SUBJECT—Application amendment as to additional thickness of door and change in welding—re Superior Flush Hollow Metal Insulated Fireproof Door (1¼ inch thick), ¾, 1 and 1½ Hour Rating; previously approved.

APPEARANCES—

For Applicant: William Silver.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice-Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 580-53-SM.

Subject: Amendment as to additional thickness of door and change in welding.

Superior Fireproof Door and Sash Company Inc., New York requested by letter dated June 24, 1958, that the resolution adopted July 20, 1954 under Calendar 580-53-SM be amended so as to include additional thickness of doors and a change in the manner of welding the door.

Purpose

A flush hollow metal insulated fireproof door as an opening protective assembly.

Description

The Board approved the door in a thickness of 1¼ inches and with ¾ inch long arc welds placed 3 inches apart along

two seams occurring on the face of the door. The requested modifications consist of doors in greater thickness and a continuous welded seam centered on each edge of the door. In all other respects the construction of the door will remain unchanged; in the thicker doors the insulation is increased to take care of the added thickness.

Recommendation

The Committee on Test recommends that the resolution adopted July 20, 1954 under Calendar 580-53-SM be reopened and amended so as to include additional thickness of doors; namely 1¼, 1¾, 1¾, 2 and 2¼ inch thick and to allow a continuous welded seam as herein described on condition that the requirements of the resolution adopted July 20, 1954 under Calendar Number 580-53-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 20, 1954 in accordance with the above report.

17-55-SA

APPLICANT—Cole Distributors Corp., for Apex Electrical Manufacturing Co., owner.

SUBJECT—Application reopening and amendment of resolution for additional model, namely Model CM3-6013—re Apex Wash-A-Matic Model CM5-6000; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application of reopening and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 17-55-SA.

Subject: Amendment to resolution for additional model.

Cole Distributors Corporation for Apex Electrical Manufacturing Company requested by letter dated October 11, 1956 that the resolution adopted October 2, 1956 under Calendar Number 17-55-SA be amended so as to include an additional model CM3-6013.

Purpose

A coin metered washing machine, (9 lbs.).

Description

The new model CM3-6013 is similar to the model CM5-6000 previously approved by the Board October 2, 1956 under Calendar Number 17-55-SA except that a cut off switch has been included to stop the machine when the door is opened.

Recommendation

The Committee on Test recommends that the resolution adopted October 2, 1956 under Calendar Number 17-55-SA be amended so as to include the additional Model CM3-6013 washing machine on condition that the requirements of the

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resolution adopted October 2, 1956 under Calendar Number 17-55-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 2, 1956 in accordance with the above report.

506-55-SA

APPLICANT—Cole Products Corp., owner (Drink Dispenser Co., Agent).

SUBJECT—Application June 14, 1955—Cole Spa Coin-Operated Automatic Cup Vendor (dispensing Carbonated and non Carbonated soft drinks in cups), Models 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe approval of.

APPEARANCES—

For Applicant: O. W. Donohue and M. P. Brecher.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 506-55-SA.

Subject: Cole Spa Coin Operated Automatic Cup Vendor, 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe.

Cole Products Corporation, Chicago, Illinois filed June 14, 1955 an application with the Board of Standards and Appeals for approval of the appliance known as Cole Spa Coin Operated Automatic Cup Vendor, 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe under the provisions of C19-96 Administrative Code and the Submerged Inlet Rules of the Board.

Purpose

The appliance is designed to automatically dispense, in a paper cup, upon insertion of a coin, a refrigerated drink, with carbonated water.

Description

Upon insertion of a coin, a contact is made releasing paper cup to a platform after selection of any one of three flavors is made. Water and syrup, which have been chilled, will then be dispensed through a stainless steel solenoid valve, filling the cup. The mixture of the syrup and water takes place within the cup, as it is dispensed.

Water System: The water enters the machine through $\frac{1}{4}$ inch copper tubing passing through a filter unit and water purifier and thence through a pressure reducing valve, set at 25 lbs. pressure in a stainless steel tank.

When the water in the carbonator reaches a low level, a water pump, controlled by electrodes located within the carbonator, cuts in and draws water from the stainless steel water tank and forces it through a precooler and thence into the carbonator until the proper level in the carbonator is reached.

The CO₂ pressure in the carbonator is set at 65 lbs. and the water in the carbonator is dispensed through a stainless steel solenoid valve when the drink is purchased. Both the precooler tank and the carbonator are made of stainless steel and protected by safety valves.

The syrup is stored in a hermetically sealed stainless steel container under 15 lbs. CO₂ pressure. The syrup, under CO₂ pressure is forced through a short length of tubing into a stainless steel coil where it is chilled and ready to be dispensed through the stainless steel syrup sol-

enoid valve. There are separate valves for each flavor of syrup. The water is dispensed separately through a separator valve.

The device is equipped with an automatic safety system which closes down the system in the event any of the supplies run too low to safely deliver a completed drink.

A hermetically sealed refrigeration unit is controlled by a thermostat switch pre-set to desired temperature. The system contains not over 3 lbs. of Freon 12.

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test.

Recommendation

On the basis of the examination and the data filed by the applicant, The Committee on Test recommends the approval of the Cole Spa Coin Operated Automatic Cup Vendor, 1-D, 3-D, 4-D, 3 DeLuxe and 6 DeLuxe for use in New York City under the provisions of C19-96.0 Administrative Code and the instructions of the Fire Commissioner to inspectors on condition that the electrical installation complies with the requirements of the Department of Water Supply, Gas and Electricity and that each unit bears a label permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 506-55-SA and provided further that the unit be serviced at least once a year and a record card of inspection be attached to each unit showing such dates of inspection and the names of the inspector and further that when installed the dispenser shall be equipped with an approved vacuum breaker installed in compliance with the Submerged Inlet Rules of the Board.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

695-55-SA

APPLICANT—Surface Combustion Corp., owner.

SUBJECT—Application August 10, 1955—Janitrol Counter Flow Conditioner (Gas-fired Unit Heater), Model FDS-55, approval of.

APPEARANCES—

For Applicant: Thomas J. Burke and Kenneth G. Hull.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 695-55-SA.

Subject: Janitrol Counter Flow Conditioner; Gas Fired Unit Heater, Model FDS-55.

Surface Combustion Corporation, Columbus, Ohio, filed August 10, 1955 an application with the Board of Standards and Appeals for approval of the Janitrol Counter Flow Conditioner, Model FDS-55-SA for use in New York City under the provisions of Article 12, Administrative Building Code.

Purpose

A gas fired warm air furnace for residential use.

Description

The Model FDS-55 furnaces are similar to the Model FES furnaces previously approved by the Board under

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Calendar Number 349-52-SA Vol. II except that they are designed for counter flow with the heated air taken off through a duct opening at the bottom of the furnace casing and return air supplied at the top. The Model FES furnaces delivered heated air from the top of the unit.

Standard equipment includes a Multi-Thermex heat exchanger with ribbon port burners, adjustable air shutters, a blower assembly, thermal overload protection, solenoid valve, transformer, automatic pilot and adjustable pilot valve, gas pressure regulator, thermostat, fan and limit control, shut off valve, built in draft hood and throw away type filter.

The FDS 80-55 and FDS 100-55 have direct drive blower. The FDS 120-55 has a belt driven blower. Firing rates for the above are 80,000, 100,000, and 120,000 Btu per hour input respectively.

Inspection and Test

All details of construction were examined by Assistant Engineer Sklenarik, Committee on Test.

The FDS-55 series were tested and approved by the American Gas Association for natural, manufactured or mixed gases.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Janitrol Counter Flow Conditioner Models, FDS 80-55, FDS 100-55 and FDS 120-55 for use in New York City when installed in accordance with this report and the requirements of Article 12, Administrative Building Code provided that each furnace shall bear a label, permanently affixed, reading "Approval by the Board of Standards and Appeals for use in New York City under Calendar Number 695-55-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

718-55-SA

APPLICANT—Empire Stove Co., owner.

SUBJECT—Application June 22, 1955—Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C, 125C and 150 C, approval of.

APPEARANCES—

For Applicant: H. Simmons.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 718-55-SA.

Subject: Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C and 150C.

Empire Stove Company, Belleville, Illinois, filed June 22, 1955 an application with the Board of Standards and Appeals for approval of the Empire Gas Furnaces Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C, 125C and 150C for use in New York City under the provisions of Article 12, Administrative Building Code.

Purpose

Gas fired warm air furnaces for residential use.

Description

The W series are packaged floor type furnaces made up

of an enameled sheet steel housing which encloses an assembly of an air filter, a centrifugal blower fan, a welded steel combustion chamber and heat exchanger and atmospheric gas burners made with ribbon type parts. Each furnace has a built in draft diverter and a flue pipe connecting collar at the top.

The controls consist of an automatic pilot light to cut off the flow of gas in case of flame failure, a fan and limit switch designed to start the blower fan when furnace temperature reaches 125°F and to shut down the gas burners when the furnace temperature reaches 150°F. A thermostat is used for automatic operation.

Heated air is taken off through a duct opening in the top of the furnace casing.

The C series are similar except that they are counter flow units with the heated air taken off at the bottom.

The capacities of the various models are

Model	Heat Input Btu per hour	Model	Heat Input Btu per hour
W50	50,000	75C	75,000
W75	75,000	100C	100,000
W100	100,000	125C	125,000
W125	125,000	150C	150,000
W150	150,000		
W175	175,000		

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The series W and C furnaces were tested and approved by the American Gas Association for natural, manufactured and mixed gas.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Empire Gas Furnaces, Models W50, W75, W100, W125, W150, W175, 75C, 100C, 125C and 150C for use in New York City in accordance with this report and the provisions of Article 12, Administrative Building Code including the clearance requirements set forth therein and provided that each furnace shall bear a label, permanently affixed, reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 718-55-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

933-55-SM

APPLICANT—Town House Fabrics Corp., owner.

SUBJECT—Application November 18, 1955—Hanover, drapery fabric, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 933-55-SM.

Subject: Hanover Drapery Fabric.

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Town House Fabrics Corporation, New York, N. Y., filed November 18, 1955 an application with the Board of Standards and Appeals for approval of Hanover Drapery Fabric for use in New York City under the provisions of section C-19-161.0 Administrative Code and the Rules of the Board for Flameproof Materials.

Purpose

A flame resistant drapery material for use in places of public assembly.

Description

This material consists of a 30 Dr. Fortisan warp, 100 ends per inch with 56 picks of a 1/20 blend of 60% Saran-40% Dynel filling. The fabric is 50 inches in the reed.

Inspection and Test

Samples of the material were tested in accordance with the Rules of the Board at the United States Testing Company, October 31, 1955.

The samples tested showed no flashing, flaming or after-glow; the material fused when contacted by the test flame.

Recommendation

On the basis of the test, the Committee on Test recommends the approval of the material Hanover Drapery Fabric, provided that any material used to bind or trim the edges be incombustible or flameproofed in accordance with the Rules of the Board.

Tests of each specific installation or any retests thereof shall be made by the Fire Commissioner or in a laboratory approved by him in accordance with the Rules of the Board.

The Committee further recommends that each bolt of Hanover Drapery Fabric be tagged or marked as follows, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 933-55-SM".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

487-56-SA

APPLICANT—Masda Corporation, distributors for Temco Corporation, owner.

SUBJECT—Application June 21, 1956—Temco Radiant Gas-fired Circulator Room Type Heater, Models 304-4, 454-4, 604-4 and 754-4, approval of.

APPEARANCES—

For Applicant: George R. Darche.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 487-56-SA.

Subject: Temco Radiant Vented Circulator Room Type Gas Heater Models 304-4, 604-4, and 754-4.

G. R. Darche for Temco Inc., Nashville, Tennessee filed June 21, 1956 an application with the Board of Standards and Appeals for approval of the appliance known as the Temco Radiant Vented Circulator Room Type Gas Heater Models 304-4, 454-4, 604-4, 754-4 under the provisions of Article 12, Chapter 26, Administrative Building Code.

Purpose

The appliance is a vented gas heater for domestic installation.

Description

The heaters consist of the following basic parts—Cabinet: die stamped from 22 gauge steel and finished in porcelain enamel. Heat chambers: die stamped from 20 gauge steel, seam welded, the chambers are coated, inside and out with porcelain enamel. Controls, either 100% Baso safety valves or Robertshaw Unitrols, Pressure regulator. Burners are heavy cast iron with ceramic burner parts.

The burner input ranges from 35,000 to 75,000 BTUs.

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test. The appliance has been approved by the American Gas Association under certificate numbers 2-1285-2.201, 2-1285-1.301, 2-1285-2.001 and 2-1285-2.101.

Recommendation

On the basis of the examination the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Temco Radiant Vented Circulator Room Type Gas Heater Models 304-4, 454-4, 604-4 and 754-4 for use in New York City when constructed as herein described and installed in accordance with the requirements of Article 12, Chapter 26 Administrative Building Code in domestic and commercial installations, but not in garages or places of explosive atmosphere on condition that the heater bears a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 487-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

488-56-SA

APPLICANT—Masda Corp., distributors for Temco, Inc., owner.

SUBJECT—Application June 21, 1956—Temco Vented Gas-fired Circulator Room Type Gas Heater, Model 705-1, 142-4, 202-4, 302-4, 452-4, 602-4, approval of.

APPEARANCES—

For Applicant: George R. Darche.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 488-56-SA

Subject: Temco Vented Circulator Room Type Gas Heater Models 705-1, 142-4, 202-4, 302-4, 452-4, and 602-4.

G. R. Darche for Temco Inc., Nashville, Tennessee, filed June 21, 1956 an application with the Board of Standards and Appeals for approval of the appliance known as Temco Vented Circulator Room Type Gas Heater Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4 under the provisions of Article 12, Chapter 26 Administrative Building Code.

Purpose

The appliance is a vented gas appliance for domestic installation.

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Description

The Model 705-2 is rated at 70,000 BTU and is constructed as follows. Cabinet—22 gauge steel, finished in porcelain enamel. Heat chamber is die stamped from 20 gauge steel with welded seams. Fan—18 inch propeller type with 1/40 H.P. motor. Burners—three cast iron, drilled raised part connected by a cast iron manifold. The controls—100% Baso valve, pressure regulator.

The Models 142-4, 202-4, 302-4, 452-4 and 602-4 range in BTU from 14,000 to 60,000 BTU's and are constructed as follows: Cabinet—22 gauge steel, porcelain enamel finish. Heat Chamber—20 gauge steel seam welded and finished inside and out with porcelain enamel. The Control either is 100% Baso safety valve, Robertshaw Unitrol or manual valve and blue flame pilot. The burners are heavy cast iron with ceramic burner in the models 3-2-4, 452-4 and 602-4. The models 142-4 and 202-4 are equipped with heavy cast iron raised drill port burners.

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test. The appliance has been approved by the American Gas Association under certification number 2-1330.001, 2-1379.101, 2-1379.001, 2-1285-4.201, 2-1285-2.301 and 2-1285-3.001.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Temco Vented Circulator Room Type Gas Heater Models 705-1, 142-4, 202-4, 302-4, 452-4 and 602-4 for use in New York City when constructed as herein described and installed in accordance with the requirements of Article 12, Chapter 26 Administrative Building Code in domestic and commercial installation, but not in garages or places of explosive atmosphere on condition that the heater bear a label, permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 488-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

739-56-SA

APPLICANT—L. J. Wing Manufacturing Co., owner.

SUBJECT—Application October 16, 1956—Wing Gas fired Unit Heaters, Models GHCR-368 and GHCF-368, approval of.

APPEARANCES—

For Applicant: R. N. Hosey.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 739-56-SA.

Subject: Wing Gas Fired Unit Heaters Models GHCR-368 and GHCF-368.

L. J. Wing Manufacturing Company, Linden, New Jersey filed October 16, 1956 an application with the Board of Standards and Appeals for approval of the appliance known as the Wing Gas Fired Unit Heater Models GHCR-368 and GHCF-368 under the provisions of Article 12, Chapter 26 Administrative Building Code.

Purpose

The appliance is a gas fired space heater.

Description

The appliance is designed for overhead installation and consists of gas burners, combustion chamber, heat exchanger, with motor driven Wingfoil Axial flow fan and Wing discharge outlet.

The combustion chamber and heat exchanger are constructed of 16 gauge aluminized steel. The burners are heavy wall cast iron with drilled parts and the pilot burners are of stainless steel. The controls consist of automatic pilot switch which automatically shuts off gas in case of pilot failure; electric solenoid gas valve closes on power failure and shuts off the gas and a pressure regulator.

Inspection and Test

Details of construction and the operation of the equipment were examined by Assistant Engineer John A. Darts, Committee on Test. The appliance has been approved by the American Gas Association under 4-1395-1.001 and 4-(1395.0 and 1396-2.0).001x.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as the Wing Gas Fired Unit Heaters Models GHCR-368 and GHCF-368 for use in New York City when constructed as herein described and installed in accordance with the requirements of Article 12, Chapter 26 Administrative Building Code but shall not be installed in garages or places of explosive atmospheres on condition that each appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 739-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

740-56-SA

APPLICANT—L. J. Wing Manufacturing Co., owner.

SUBJECT—Application October 16, 1956—Wing (gas-fired) Unit Heaters and Wing Duct Heaters, Models GU-40, 56, 72, 104, 124, GU-164, GU-184, GU-82, and Models GD-56, 72, 82, 104, 164 and GD-184, approval of.

APPEARANCES—

For Applicant: R. N. Hosey.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

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REPORT OF COMMITTEE ON TEST

Re: Calendar Number 740-56-SA.

Subject: Wing Gas Fired Unit Heaters and Heaters; Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164, and GD-184.

L. J. Wing Company, Linden, New Jersey filed October 16, 1956 an application with the Board of Standards and Appeals for approval of the appliance known as the Wing Gas Fired Unit Heaters and Duct Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184 under the provisions of Article 12, Chapter 26 Administrative Building Code.

Purpose

The appliance is a gas fired space heater.

Description

The units GU and GD are basically the same design except that the GU series is complete with fan and motor unit whereas the GD series does not have the integral fan unit but is designed for duct systems and external fans.

The casing of both series is die cast steel, but the GD series has internal radiation shields to minimize external surface temperature.

The heat exchanger is constructed of 16 gauge aluminized steel for both series. The combustion chamber for GD is also of 16 gauge steel. The burners for both series are cast iron with drilled parts and a pilot burner of stainless steel. The balance of the equipment for the GU series consists of the following: Draft diverter built-in dual side relief openings which are welded to the interchanger. Motor—totally enclosed shaded pole type. Fan—four bladed aluminum propeller type. Fan control—automatically starts fan when temperature reaches predetermined point. Limit control which prevents overheating. Automatic 100% shut-off Valve—automatically shuts off gas in the event of pilot failure. Electric solenoid gas valve and Pressure regulator. The balance of the equipment for the GD Series consists of the following: Limit control, automatic high temperature limit control prevents overheating. Automatic pilot switch which automatically shuts off gas in the event of pilot failure. Electric solenoid gas valve, closes on power failure and shuts off gas and a pressure regulator.

Inspection and Test

Details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test. The appliance has been approved by the American Gas Association under Certificate number 4-846-3.901-5x, 4-846-5.901-5, 4-846-4.901-5x, 4-846.901-5x, 4-846-1.901-5x, 4-846-2.901-5x, 4-846-2.801-5x, 4-846.301-5x, 4-846-1.301-5x, 4-1396-2.001-5x, 4-1396.001-5x, 4-1396.101-5x, 4-1396-1.101-5x, 4-(1396.4&3.4).001-5x, 4-(1396-2.4&5.4).001-5x, 4-(1396-1.4&4.4).001-5x, 4-1200.001-5x, 4-1260-1.001-5x, 4-1260-4.001-5x, 4-1260-3.001-5x, 4-1260.101-5x, 4-1260-2.101-5x, 4-1260-3.101-5x, 4-1260-1.101-5x, 4-1396.201-5x, 4-1396-1.201-5x, 4-1396-2.201-5x, 4-846-1.701-5x, 4-846.701-5x, and 4-846-2.701-5x.

Recommendation

On the basis of the inspection and the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Wing Gas Fired Unit Heaters and Duct Heaters, Models GU-40, GU-56, GU-72, GU-104, GU-124, GU-164, GU-82, GU-184, GD-56, GD-72, GD-82, GD-104, GD-124, GD-164 and GD-184 for use in New York City when constructed as herein described and installed in accordance with the requirements of Article 12, Chapter 26, Administrative Building Code in domestic and Commercial installation; but not to be installed in garages or

places of explosive atmospheres on condition that the appliance bear a label, permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 740-56-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

67-57-SM

APPLICANT—The Steelcraft Manufacturing Co., owner.
SUBJECT—Application January 11, 1957—Steelcraft Series 16 B Label Door and Frame and Steelcraft series 20, B Label Door and Frame, approval of.

APPEARANCES—

For Applicant: David Laub.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 67-57-SM.

Subject: Steelcraft Series 16B and 20B Doors.

Steelcraft Manufacturing Company filed January 11, 1957 an application with the Board of Standards and Appeals for approval with the Steelcraft Series 16B and 20B Doors under the provisions of C26-610.0 Administrative Building Code.

Purpose

The door is to be used as a 1½ hour fire resistive opening protecting assembly.

Description

The application covers a pair of doors, one being a flush door and the other a panel type door. As will be shown under Inspection and Test, the flush door did not meet the requirements of the fire test. The only door to be described will be the paneled type door.

Panel Type Door: The door is designed for an opening 4'-0" x 8'-0" and is 0'-1¾" in thickness. The top and bottom rails and center rails are constructed of 16 gauge steel. The panels, both top and bottom, are constructed of 18 gauge steel and are insulated with ½ inch asbestos millboard core.

The hardware consists of four 4½" full mortise steel hinges and a bolt having a throw of ¾".

The complete details of construction are included in the Underwriters Laboratory Retardant 3993-1 are on file with and are part of the record.

Inspection and Test

The panel and flush type door were tested at the Underwriters Laboratory, Chicago, Illinois. The flush type door failed due to heat transmission. The panel type door passed both the fire and hose stream test as required under Calendar Number 26-610.0 Administrative Building Code.

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Recommendation

On the basis of the test and the data filed by the applicant, The Committee on Test recommends the approval of the Steelcraft Panel Door as a one and half fire resistive opening protective assembly for use in New York City under the provisions of 26-610.0 Administrative Building Code on condition that the door is constructed as herein described with hardware as described and further that the construction, inspection and installation comply with the requirements of the Rules of the Board of Inspection of Opening Protective Assemblies.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

561-57-SA

APPLICANT—Westinghouse Electric Corp., owner (Westinghouse Appliance Sales Corp., Agent).

SUBJECT—Application July 23, 1957—Westinghouse Central System Gas-fired Air Conditioner, Models RG-90-2 and RG-130-3, approval of.

APPEARANCES—

For Applicant: J. A. Cerny.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 561-57-SA.

Subject: Westinghouse Central System Gas Fired Air
Conditioner, Models RG-90-2 and RG-130-3.

Westinghouse Electric Corporation, Staunton, Virginia, filed July 23, 1957 an application with the Board of Standards and Appeals for approval of the Westinghouse Central System Gas Fired Air Conditioner Models RG-90-2 and RG-130-3 for use in New York City under the provisions of Article 18 Chapter 19 and Article 12 Chapter 26, Administrative Code.

Purpose

Combination heating and cooling units for residential and commercial use.

Description

The RG-90-2 and RG-130-3 are floor type packaged air conditioners made up of a gas fired warm air furnace and a mechanically refrigerated air cooling system housed in a heavy gauge sheet steel cabinet finished in enamel. The cabinet panels are insulated with one inch aluminum foil faced fibreglas.

The heating section contains a heavy gauge surface type heat exchanger, seam welded and made with side extensions for additional heat transfer surface. A built in draft diverter is provided at the flue connection. The burner is a one piece upshot burner with flame spreader. The burner

body is a cast iron venturi with adjustable primary air shutter. Ignition is by safety pilot and a fan and limit control are provided for the furnace.

The cooling section contains a hermetic compressor of two cylinder reciprocating type with sealed in drive motor and lubricant. The compressor is protected with a high-low pressure switch. It is connected with piping to a water cooled shell and tube condenser which is equipped with a fusible plug, liquid shut off valve and purge valve. Liquid refrigerant is supplied from condenser to evaporator through an expansion valve. The evaporator is arranged for induced air flow in the RG-2 unit and for forced air flow in the RG-3 unit. An insulated, galvanized drain pan is mounted beneath the evaporator.

Air filters are installed in a side panel and air circulation is provided by means of an electrically driven centrifugal fan.

The ratings of the two models are as follows:

	RG-90-2	RG-130-3
Cooling Capacity		
Btu. per. hr.	24,000	38,000
Heating Capacity		
Btu. per. hr. output	72,000	104,000
Compressor HP.	2	3
Refrigerant and	F12	F22
# pounds	4½ lbs.	5 lbs.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The heating furnaces used in this equipment were tested and approved by the American Gas Association for natural, manufactured and mixed gases.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Westinghouse Central System Gas Fired Air Conditioner Models RG-90-2 and RG-130-3 for use in New York City in accordance with this report and the provisions of Article 18, Chapter 19 Administrative Code and Article 12 of Chapter 26 Administrative Code including the clearance requirements set forth therein; all electrical installation work to be in accordance with the Electrical Code of the City of New York and further that each such appliance shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 561-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

131-58-SA

APPLICANT—H. M. Ficken, for Enterprise Engine and Machinery Co., owner.

SUBJECT—Application March 13, 1958—Enterprise Combination Gas-Oil Burners, Types AA3, A3, C3, E3, F3, G3, H3 (1) H3(1½), J3, K3, L3, M3, AY, AY-1, AY-2, approval of.

APPEARANCES—

For Applicant: Henry M. Ficken.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 131-58-SA.

Subject: Enterprise Combination Gas-Oil Burners, Types
AA3, A3, C3, E3, F3, G3, H3(1), H3(1½), J3,
K3, L3, M3—AY, AY-1, AY-2.

H. M. Ficken for Enterprise Engine and Machinery
Company, San Francisco, California, owner-manufacturer
filed March 13, 1958 an application with the Board of Stand-
ards and Appeals for approval of the Enterprise Combina-
tion Gas-Oil Burners for use in New York City under the
provisions of Article 12 Administrative Building Code and
the Oil Burner Rules of the Board.

Purpose

Conversion burners for burning either gas or oil fuel.

Description

The Enterprise combination gas-oil burners consist of
standard Enerprise rotary oil burners with the addition of
gas burning equipment. The oil burners are similar to the
series of burners previously approved by the Board under
Calendar Number 1149-27-SA for burning all fuels from
Number 2 to Number 6. The burners designed for heavy
oils were approved with a Wells electric preheater as part of
the burner assembly and are installed with an approved
steam or hot water preheater in the oil line.

The present burners are designated as the Models AA,
A, C, E, F, G, H, J, K, L, and M with firing rates varying
from 4 gallons per hour maximum for the AA Model up
200 Gallons per hour maximum for the M Model. The nu-
meral 3 denotes series 3 design. Suffix letters are used to
indicate the oil pump equipment on the burner. The letter
P indicates an integral one stage pump—PM indicates an
integral metering pump and G indicates no pump on the
burner, a separate pump of approved type to be used.

The gas burner is a multi-port ring of cast iron mounted
to the burner front plate and shielded from the furnace
heat by a nozzle protector. The ring surrounds the oil
burner nozzle so the gas is discharged into the stream of
primary air coming from the nozzle. This same air stream
is used to atomize the fuel oil when oil is used as fuel.

Secondary air is admitted and controlled by a draft door
located below the burner. The gas flow is regulated by a
butterfly gas valve. This valve is connected by linkage to
the primary air and secondary air to provide regulation of
air and gas at all firing positions. Automatic regulation of
the firing is accomplished by means of an electric control
motor and a pressure or temperature actuated device on the
boiler. The control motor may be either two positions—
high, low—or modulating type.

A slow opening, fast closing magnetic gas valve is pro-
vided for shut off of gas supply in the event of flame or
power failure. The magnetic oil valve provides the same
safeguard for oil firing. A manual shut off valve is sup-
plied with the burner.

Only one fuel may be burned at a time because of an
interlocked selector switch that shuts down the burner be-
fore the other fuel can be used.

Gas firing rates vary from 600 cubic feet per hour for
the AA model to 30,000 cubic feet per hour for the M
Model.

The type of safety controls used with each burner are
identified as AY, AY-1 and AY-2.

For type AY burners the controls provide for a trial-for-
ignition period of 60 seconds with flame failure shut off at
4 seconds.

For the type AY-1 and AY-2 burners the controls will
function as above or will not provide for the trial-for-ig-
nition period but will provide for a shut down in 4 seconds
in case of flame failure.

The controls are either a safety switch with scanner or
safety switch with photocell and flame rod.

In addition a reverse acting pressure switch is installed
on the fan housing which will close the magnetic fuel valves
in case of fan failure.

Inspection and Test

All details of construction were examined by Assistant
Engineer G. F. Sklenarik, Committee on Test.

The Enterprise Combination Burners are tested and ap-
proved by the Underwriters' Laboratories file MP 463.

Recommendation

On the basis of the examination and the data submitted
by the applicant, the Committee on Test recommends the
approval of the Enterprise Combination Gas-Oil Burners,
Models AA3, A3, C3, E3, F3, G3, H3-1, H3-1½, J3, K3,
L3 and M3 for use in New York City when installed in
accordance with this report and the requirements of the
Oil Burner Rules of the Board and Article 12 Administra-
tive Building Code and provided that each burner shall bear
a label, permanently affixed, reading "Approved by the Board
of Standards and Appeals for use in New York City under
Calendar Number 131-58-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does
hereby approve this appliance in accordance with the above
report.

1550-39-SM

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for
test and report as to excluding let-in brace—re USG
Fiber Board, Tile, Plank and Sheathing and additional
trade name USG Gypsum Co. Weatherwood Roof Insula-
tion; previously approved.

APPEARANCES—

For Applicant: Wm. W. Bainbridge.

ACTION OF BOARD—Application reopened for test and
report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

190-47-SM

APPLICANT—Fenestra Incorporated, owner.

SUBJECT—Application for consideration—reopening for
test and report—re Fenestra Holorib Roof Deck; previ-
ously approved.

MINUTES

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

1069-47-SM

APPLICANT—Fenestra Inc., owner.

SUBJECT—Application for consideration—reopening for test and report—re Fenestra Fireshield Hollow Metal Door (1½ hour); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

29-51-SM

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for test and report—re USG Expanded Metal Gratings and Stair Treads; previously approved.

APPEARANCES—

For Applicant: W. W. Bainbridge.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

121-51-SM

APPLICANT—Charles Lawrence Kramer, for Coast Foundry and Mfg. Co., owner.

SUBJECT—Application for consideration—reopening for restoration to docket and for test and report—1-B Master Anti-Siphonic Ballecock; previously dismissed.

APPEARANCES—

For Applicant: Charles L. Kramer.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

516-51-SA

APPLICANT—Peerless Appliance Company, Inc., owner.

SUBJECT—Application for consideration—restoration to docket, for test and report—re Peerless Cuspidor, Model C (part of dental operating unit used in dentistry); previously dismissed.

APPEARANCES—

For Applicant: L. H. Weinstein.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

805-51-SM

APPLICANT—Stefer Corp., manufacturer. Building Products Corp., Agent.

SUBJECT—Application for consideration—reopening for test and report as to additional sizes of block—re B.P.C. Masonry Units (manufactured with waylite as the aggregate); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

907-54-SM

APPLICANT—Eljer Company, owner.

SUBJECT—Application for consideration—reopening for test and report—re Eljer Company Anti-Syphon Ballecock, Model E-9861; previously approved.

APPEARANCES—

For Applicant: Floyd L. Stevens.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

334-56-SM

APPLICANT—Athol Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening for test and report—re Terson 4212 FRS-MRS (folding doors in places of public assembly); previously approved.

APPEARANCES—

For Applicant: Eugene E. Brown.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

MINUTES

SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to September 23, 1958, at 2 P. M.; applicant to be notified.

584-50-SM

APPLICANT—The New England Manufacturing and Supply Corporation, owner-manufacturer (Charles M. Carpenter, agent).

SUBJECT—Dynamatic Silent-Close Door Control, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 2 P. M., Applicant to be notified.

762-56-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Appeal from a decision of the Borough Superintendent; previously granted on condition—re storage tanks of liquefied petroleum gas and installation of yard hydrant system.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Lloyd A. Hunziker.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested an amendment of the resolution adopted by the Board, September 24, 1957, relating to the proposed installation of a yard hydrant system; and

WHEREAS, the applicant states that it was originally proposed to the Board to install a yard hydrant system, complying with the code except for the secondary source of supply; and

WHEREAS, the applicant now states that its proposal to install a yard hydrant system should have been limited to the area of the plant occupied by the three (3) new 260,000 gallon butane tanks, which were subject to the appeal; and

WHEREAS, the applicant therefore requests that the Board amend the resolution adopted September 24, 1957, so as to permit the extension of the existing yard hydrant system, so as to provide hydrants in the area occupied by the three (3) new 260,000 gallon butane tanks, as indicated on revised plans filed with this request for amendment.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on September 24, 1957, by adding thereto:

“that in the event the owner proposes to extend the existing yard hydrant system within an area of not less than 100 feet distant from any of the three (3) 260,000 gallon butane tanks in question, as proposed and shown on plans filed with this request for amendment marked ‘Received March 18, 1958’, 1 sheet, such extension may

be permitted as compliance with the requirements of this resolution insofar as it relates to the yard hydrant system, on condition that the provisions of such resolution shall be complied with in all other respects where not inconsistent with this amendment.”

463-58-A

APPLICANT—Rodney W. Burton, for Jones and Laughlin Steel Corp., owner.

SUBJECT—Application, July 30, 1958—Appeal from a decision of the Borough Superintendent—re Class 5 construction, height excessive.

PREMISES AFFECTED—30-49 and 30-69 Review Avenue, northeast corner of 35th Street, Block 295, Lot 101 and Block 297, Lots 1, 25, 26, 27, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Rodney W. Burton and James W. Minter.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 22, 1958 on Alt. Applic. 1734/58 reads:

“1. The proposed addition to an existing Class 3 Bldg. already excessive in area is also excessive in area and contrary to Sec. C26-254.0 of the Administrative Code.

“2. The proposed height of an addition to an existing Class 5 Bldg. already excessive in height is excessive and contrary to Sec. C26-254.0 of the Administrative Code.”

and

WHEREAS, the applicant states that the premises consist of a lot 490.21 feet by 510.85 feet in area, located in an unrestricted use, A area, class 1½ height district, upon which there exists a 1 and 2 story, 49 foot high, class 5 constructed building, 230 feet front by 510.85 feet in depth at 1st floor, 230 feet front by 58 feet 2 and 7/8 inches in depth at 2nd floor, erected 1936, used and occupied: 1st floor—steel storage, 48 persons; 2nd floor—steel storage, 2 persons, for which Certificate of Occupancy #54721 was issued against N.B. Applic. #3868/35; and

WHEREAS, the applicant states that it is now proposed to erect a 1 story addition, 152 feet 7 inches by 163 feet 1 inch in area of class 5 construction and to use the entire building for storage of steel with an occupancy of 68 persons on the 1st floor and 2 persons on the 2nd floor; and

WHEREAS, the applicant contends that it is necessary to expand the present building; that due to the availability of property, the only logical course for expansion is by extending the southerly wall of the existing structure; that for operation of its business it is necessary that the owners maintain the existing overhead cranes, which run unobstructed from an existing railroad siding along the northerly edge of the building, to virtually all parts of the building; that to comply with the requirements of the installation of firewalls in the existing building or the proposed addition would cause considerable hardship in the conduct of the owner's business; that a clear height beneath crane hooks of 24 feet 3 inches is required to conduct the business; that maintenance of this height plus crane depth and depth of trusses, requires that the addition to the building to be 37 feet high as proposed; that the building will comply with the requirements of the Building Code in all respects other than the height and area; and

MINUTES

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated July 22, 1958, acting on Alt. Applic. 1734/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the extension in height and the excessive area as proposed and indicated on plans filed with this Appeal marked, "Received September 10, 1958," 8 sheets *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and for the use as proposed.

90-56-A

APPLICANT—Mayflower Doughnut Corp., lessee for Savoy Plaza, Inc., owner.

SUBJECT—Application for consideration—restoration to docket—re Appeal from a decision of the Commissioner of Health, re sanitary certificate; previously dismissed.

PREMISES AFFECTED—767 5th Avenue, southeast corner of East 59th Street, Block 1294, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request for restoration to the calendar dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: H. E. Horwood.

ACTION OF BOARD—Laid over to September 30, 1958, at 2 P. M.; Applicant to submit further report as to the status of the exits.

347-27-BZ—Vol. III

APPLICANT—Crest Oldsmobile Corp., lessee, for 1900 Jerome Avenue.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7i of the Zoning Resolution, permitting in a residence and business use district, the change in occupancy for a term of years, of existing storage garage (previously granted by the Board) to showroom, auto accessories, free storage, garage for more than 5 motor vehicles for employees, customers and patrons of proposed automobile agency, gasoline pump for private use (no sale of gasoline) two lifts for lubrication on the 1st floor and to motor vehicle repair shop, body repairs, incidental welding and painting and free storage for more

than 5 motor vehicles for employees, customers and patrons of automobile agency on 2nd floor (motor vehicle repair shop), previously denied by Board.

PREMISES AFFECTED—1900 Jerome Avenue and 1 East 177th Street, northeast corner, Block 2853, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: John A. Miller.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating: 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. I on July 12, 1927, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended; and

WHEREAS, the term of variance was extended on September 29, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 24, 1948, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivisions e and i for a term of 10 years from the date of this *amended* resolution, to permit.....; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 1044/47)

269-37-BZ

APPLICANT—William J. Kalt, for Max Widmaier, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, for a term of years, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—1325 Webster Avenue, west side, 197 feet north of East 169th Street, Block 2887, Lots 177 and 178, Borough of The Bronx.

APPEARANCES—

For Applicant: S. Peter Larosa.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 19, 1937, on certain conditions; and

MINUTES

WHEREAS, the term of variance was extended from time to time and last extended on October 6, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 19, 1937, as amended by resolution adopted through October 6, 1953, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision i for a term of 5 years from the date of this amended resolution, to permit.....; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." (N.B. App. 23/38)

483-37-BZ

APPLICANT—J. G. L. Molloy for, R. and P. Associates, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a retail-1 and business-1 use district, the elimination of the most northerly store fronting on 7th Avenue to provide access from 7th Avenue to the parking site.

PREMISES AFFECTED—821-827 7th Avenue and 159-167 West 53rd Street, northeast corner, Block 1006, part of Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on December 6, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 19, 1956; and

WHEREAS, the resolution was amended on July 23, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 19, 1956 and as amended on July 23, 1957, only as to the time within which to obtain permits and complete the work, in connection with the widening of the entrance as permitted by the Board by resolution of July 23, 1957, so that as amended this portion of resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (Alt. App. 1694/56)

133-37-BZ

APPLICANT—Samuel Rosenblum, for Ungerer Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7c of the Zoning Resolution, permitting in a residence use district, the extension of an existing business building.

PREMISES AFFECTED—226-228 West 20th Street, south side, 355.2 feet west of 7th Avenue, Block 769, Lots 53 and 54, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 20, 1937, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 20, 1937, so as to omit the following clause:

"that this variance of use shall continue only so long as this building is occupied in conjunction with the building at 228 West 20th Street and mainly occupied by Ungerer and Company or their successors in the same line of business; and that a new certificate of occupancy shall be obtained within six months for this building known as 226 and 228 West 20th Street." (Alt. 546/37 and 769/58)

855-47-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Travlin & Steinbert, owners.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired June 5, 1958—re Application, decision of the Borough Superintendent; previously granted on condition; under section 7e of the Zoning Resolution, permitting in a residence and retail use district, a golf driving range for a term of years.

PREMISES AFFECTED—109-02 Horace Harding Boulevard and 61-02 Colonial Road, southwest corner, Block 2159, Lots 2, 3, 28, 106, 108, 109 and 110; Block 2160, Lots 2 and 23; Block 2101, Lots 101, 102, 103, 104, 108, 109, 110, 112, 115, 118, 129, 140, 170 and 180, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on May 5, 1953, on certain conditions; and

WHEREAS, the resolution was again amended on October 23, 1957; and

WHEREAS, time to obtain permits and complete the work was extended on November 24, 1953; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 9, 1947, as thereafter *amended* by resolutions adopted on May 5, 1953, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of 5 years from the date of this amended resolution, to permit.....; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended resolution*." (Alt. App. 11/53)

135-54-BZ—Vol. II

APPLICANT—Vincent H. McInerney, for William H. Tator, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 25, 1958—re Application, decision of the Borough Superintendent; previously granted on condition; under section 7e of the Zoning Resolution, permitting in a residence use district the proposed frame extension for use as a funeral parlor.

PREMISES AFFECTED—143-35 Farmers Boulevard, northeast corner of 144th Avenue, Block 13074, Lot 1, Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: James E. Mulvaney.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on January 17, 1956, on certain conditions; and

WHEREAS, the resolution was amended on June 25, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 20, 1954, as thereafter *amended* by resolutions adopted through June 25,

1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 1299-53)

240-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Stanley S. Kilburn, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business and residence use district, the erection and maintenance of a structure in the business use district portion of a lot to be used as a body and fender repair shop, auto repair shop, car and motor washing, welding, painting and spraying and office and gasoline pump within building (owners use only) and parking of cars awaiting service and the storage of kerosene and gasoline in buried tanks (owners use only) in the residence use district portion of the plot.

PREMISES AFFECTED—207-22 to 207-24 (207-22 official) Northern Boulevard, south side, 350 feet west of Oceania Avenue and 206-35 to 206-37 45th Road, Block 7305, Lot 19, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 13, 1955, on certain conditions; and

WHEREAS, the resolution was amended on March 12, 1957; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution as adopted on December 13, 1955, and as thereafter *amended* by resolution adopted through March 12, 1957, by adding thereto:

"that in addition to the uses hereinbefore permitted, there may be purchase, sale and exchange of automotive vehicles and products, provided such uses are not contrary to any specific law; and to omit the reference reading:

"in connection with the owner's premises at the northwest corner of 209 Street and Northern Boulevard." (N.B. 166/55)

184-56-BZ

APPLICANT—Henry J. Nurick, for Sterling Cake Company, Inc., owner.

MINUTES

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 25, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a local retail and residence use district, the construction of a one story extension to the present bakery building, for use of loading and the parking of employee's cars and for the church on the unbuilt portion of the site.

PREMISES AFFECTED—100-106 Marian Street, south side, 275 feet west of Patchen Avenue, and 13-15 Sumpter Street, Block 1695, Lots 16, 17, 18 and 42, Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 25, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 25, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 4527/55)

474-56-BZ

APPLICANT—Morris Avenue Parking Company, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the proposed parking lot for more than 5 motor vehicles.

PREMISES AFFECTED—1245-1257 Morris Avenue, west side, 300 feet north of East 167th Street, Block 2450, Lot 42, Borough of The Bronx.

APPEARANCES—

For Applicant: Daniel Kushner.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 23, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 23, 1956, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of 5 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 289/56)

679-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Jerry, owner. R. & R. Trucking Corp., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 26, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, in a business use district, the change in use of an existing one-story building from barrel storage and office to a private garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—481-487 Manhattan Avenue, southwest side, 82 feet 4 inches northwest of Eckford Street, Block 2712, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 28, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on November 26, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 28, 1957, as thereafter *amended* by resolution adopted on November 29, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. 2524/56)

MINUTES

890-56-BZ

APPLICANT—The Texas Company, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 23, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7c, 7i and 7A of the Zoning Resolution, permitting in a business use district, the reconstruction of a gasoline service station, to include the conjunctive uses of lubrication, non-automatic car washing, minor auto repairs with hand tools only and the parking of motor vehicles awaiting service with curb cuts, show windows and signs within 75 feet of a residence zone.

PREMISES AFFECTED—1570-1580 Bushwick Avenue, northwest corner of Eastern Parkway Extension, Block 3470, Lot 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 23, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that the work is substantially completed, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. 2812/55)

16-58-BZ

APPLICANT—Ervin Palmer, for Thomas J. McCahill, owner. National Parking System, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a retail and residence use district, the extension of the present parking lot from the retail portion into the residence portion of the plot.

PREMISES AFFECTED—443-447 3rd Avenue, east side, 19 feet 9 inches south of East 31st Street and 206 East 31st Street, Block 911, Lot 64, Borough of Manhattan.

APPEARANCES—

For Applicant: Ervin Palmer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 24, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution as adopted on June 24, 1958, only so far as it has reference to the requirements for a chain link fence on interior lot lines, by adding thereto the following:

“... that such fences need not be installed where masonry walls of adjoining buildings occur on the lot line.” (Alt. 1503/57)

788-47-BZ—Vol. III

APPLICANT—Haus & Bresin, for Henry Goldman and Otto Bass, owners.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7e and 7A of the Zoning Resolution, to permit in a business and residence use district, the erection and maintenance of a Hi-Speed auto laundry, simonizing, office, cashier, locker rooms, toilets, boiler room and storage and with business entrances and show windows within 75 feet of a residence district.

PREMISES AFFECTED—137-49 Kings Highway and 1640-52 West 13th Street, northwest corner, Block 6618, Lots 22, 24 and 26, Borough of Brooklyn.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure. The Board found that substantial new facts were presented to warrant a new hearing.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

BOARD OF STANDARDS AND APPEALS
MUNICIPAL BUILDING
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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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OCT 4 1958
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Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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SEAN P. KEATING, Vice Chairman

EDWIN W. KLEINERT

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York 13, N. Y.

TELEPHONE—WHitehall 3-3600, Extensions 2600-2609, 2769-
2770 and 3020-3024.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to seek
relief until it is filed on the form required by the rules of
this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the Administrative Official either Borough
Superintendent of Buildings or Fire Commissioner and file
with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must
indicate the points of the compass so as to establish the true
location and position of the property, the subject of the
appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engi-
neers, pertaining to the work of the board, will be seen only
between the hours of ten in the morning and one in the
afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

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All hearings are held at 80 Lafayette Street, Borough of
Manhattan.

CALENDAR

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543-58-BZ—B.Q.—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lots 32 and 41, Howard Beach, Borough of Queens, Alt. 2236-58—parking and storage of motor vehicles—residence use district.

544-58-BZ—B.M.—Block bounded by 78-80 Pine Street, 134-152 Water Street, 172-194 Pearl Street and 110-134 Maiden Lane, Block 39, Lots 12 to 24 and 26, Borough of Manhattan, Amendment to N.B. 149-57—required number of off-street loading berths—unrestricted district.

545-58-A—B.M.—39-41 55th Street West, north side, 395 feet east of Avenue of the Americas, 2nd, 3rd, 6th, 7th and penthouse floors, Block 1271, Lot 17, Borough of Manhattan, Alt. 598-58—egress.

546-58-SM—Dyfoam Foamed Polystyrene Insulation, Regular (R) and Self-Extinguished (S.E.), manufactured by Dyfoam Corp., Material.

547-58-SA—Modine Gas-Fired Heaters, Models GB-50, GB-75, GB-105, GB-135, GB-165, GB-225 and GB-310, manufactured by Modine Manufacturing Co., Appliance.

548-58-SM—National Acoustical Suspension System, H and Tee, Zee Runner; Tongue and Groove; and Grid Systems, manufactured by National Builders Supply Co., Material.

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550-58-SM—Klimaton Aluminum Window, manufactured by Trio Industries, Inc., Material.

551-58-SA—Siegler Gas Home Heaters, Models 220GI, 220UB, 330UB, 550UB, 775UB and 885UB, manufactured by The Siegler Corp., Appliance.

552-58-BZ—B.M.—200 West 149th Street and 2574 Seventh Avenue, southwest corner, Block 2034, Lot 36, Borough of Manhattan, E.S. 377-58—sign—local retail use district.

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536-44-A—Vol. III—B.Q.—216-16 28th Avenue, south side, 200 feet east of 216th Street, 1st and 2nd floors, Block 6019, Lot 103, Bayside, Borough of Queens, Alt. 1543-58—re increase in number of beds in a nursing home.

773-57-A—B.M.—196-198 Chambers Street, south side, 96 feet 6 inches east of West Street, Block 138, Lot 34, Borough of Manhattan, Alt. 1204-57—re factory, etc.

236-39-SM—Metal Lath and Lathing Accessories (re-opened for test and report as to additional lath), manufactured by Wheeling Corrugating Co., Material.

145-56-BZ—Vol. II—B.B.—1266-1276 East 17th Street and 1611-1623 Chestnut Avenue, northwest corner, Block 6736, Lots 34 and 82, Borough of Brooklyn, Alt. 814-58—re extension of parking lot—partially residence and unrestricted use district.

540-27-BZ—Vol. II—B.B.—450 Flushing Avenue, southeast corner of Bedford Avenue, Block 1715, Lot 31, Borough of Brooklyn, N.B. 1017-58—re gasoline service station, lubritorium, auto laundry (non automatic), motor vehicle shop, parking of motor vehicles, etc.—business and unrestricted use district.

214-27-BZ—Vol. II—B.Bx.—296 West Fordham Road, southeast corner of Major Deegan Expressway, Block 3233, Lot 65, Borough of The Bronx, N.B. 615-58—re gasoline service station, lubritorium, minor auto repairs, car washing, utility room, parking and storage of motor vehicles, etc.—manufacturing and residence use district.

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CALENDAR

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

SEPTEMBER 30, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, September 30, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

Postponed from September 17, 1958, to September 30, 1958, at request of objector.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubritorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Co., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five

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motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubricatory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubricatorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a

one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

77-58-BZ

APPLICANT—Hadyn H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

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566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

302-41-BZ—Vol. II

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out.

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

Laid over from January 7, 1958 to February 11, 1958, for hearing at the request of the Board of Education, as proposed school site in area has not been determined; then to February 25, 1958, for applicant to file plan and further information as to school site; then laid over for inspection and decision; hearing closed; date for decision to be set; then set for September 30, 1958.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1 Jackson Heights, Borough of Queens.

Laid over from July 1, 1958 to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee; Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

Laid over from July 8, 1958 to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60 Borough of The Bronx

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration.

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794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for revised plans showing planted area.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications sub-

ject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail; then to September 30, 1958, for inspection and decision; hearing closed.

67-58-BZ

APPLICANT—Joseph M. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

Laid over to September 30, 1958, for inspection and decision; hearing closed.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525, Lot 30, Borough of The Bronx.

Laid over from September 17, 1958 to September 30, 1958, for inspection and decision; hearing closed.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

Laid over from September 17, 1958 to September 30, 1958, for inspection and decision; hearing closed.

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of fifteen (15) years.

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the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubricatorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner of 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

Laid over from September 17, 1958, to September 30, 1958, for inspection and decision; hearing closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner, Research Animals Inc., under contract to purchase.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under section 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy, then to September 30, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 30, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, September 30, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

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763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.
SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.
PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.
SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.
PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.
HARRIS H. MURDOCK, *Chairman*.

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.
SUBJECT—Application reopened March 4, 1958—Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.
PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.
SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and show rooms.
PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

153-58-A

APPLICANT—Lucien David, for Fred H. Hill, owner.
SUBJECT—Application March 21, 1958—Appeal from a decision of the Borough Superintendent, re winders in required stairway.
PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

146-45-BZ—Vol. II

APPLICANT—Joshua Brown for John Swederg, owner.
SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.
PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.
SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.
PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.
SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.
PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.
SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.
PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.
SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.
PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.
SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.
PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

CALENDAR

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

245-58-A

APPLICANT—Lama, Proskauer and Prober, for Edward and Leonard Sessa, owners.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re change from theatre to catering, requires removal of marquee.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

164-58-A

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—Appeal from a decision of the Borough Superintendent re cellar occupancy as Laboratory-Frame Building.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied

as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an elementary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

CALENDAR

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans; then to October 7, 1958, at request of the applicant, for possible withdrawal for conforming use.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit

in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

Laid over from September 23, 1958 to October 7, 1958, for inspection and decision; hearing closed.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Sections 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed; applicant to file an additional drawing showing sections and grade of roadway and service road at this point.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

CALENDAR

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubricatorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubricatorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning

Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only; then to October 7, 1958, decision; applicant permitted to file reply brief by October 2, 1958.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 7, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, October 7, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

845-57-A

APPLICANT—Sidney H. Kitzler, for Meyer Tucker, owner.

SUBJECT—Application November 21, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 171, subdivision 6 of the Multiple Dwelling Law re increase in bulk and Volume subsequent to 1940.

PREMISES AFFECTED—91-97 West End Avenue and 101-103 Hampton Avenue, northeast corner, Block 7516, Lot 549, Borough of Brooklyn.

440-58-A

APPLICANT—Miles A. Gordon, for Hyman J. Fliegel, owner, Sol Cafe Manufacturing Company, lessee.

SUBJECT—Application July 16, 1958—Appeal from a decision of the Borough Superintendent re: Sprinkler System.

PREMISES AFFECTED—109-25 180th Street, east side, 184.95 feet north of Brinkerhoff Avenue, Block 10343, Lot 215, Jamaica, Borough of Queens.

442-58-A

APPLICANT—Morris Hannes, for 237-239 East 38th Street Realty Corporation, owner.

SUBJECT—Application July 22, 1958—Appeal from a decision of the Borough Superintendent re Class 3 construction, building over 4 stories in height.

PREMISES AFFECTED—237-239 East 38th Street, north side, 125 feet west of 2nd Avenue, Block 919, Lots 23 and 24, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Wednesday morning, October 15, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector.

CALENDAR

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958—as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

122-58-BZ

APPLICANT—Herman Horowitz, for Berno Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoroso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

CALENDAR

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

Laid over from September 23, 1958, to October 15, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 21, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 21, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor on an existing masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application, December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175-12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 and 89-58—239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Borough of Queens.

364-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Jeanne S. DiLoreto, owner.

SUBJECT—Application June 6, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, D area district, the erection of a one story extension occupying more than the permitted area.

PREMISES AFFECTED—80-21 to 80-23 164th Street, east

side, 60.43 feet north of 81st Avenue, Block 7014, Lot 26, Flushing, Borough of Queens.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling that exceeds the permitted area coverage, exceeds the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

OCTOBER 28, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 28, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the local Board.

CALENDAR

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to

report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 23, 1958, 10 A. M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than the required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet west of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Opposition: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoroso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salminen and Frank Amoroso.
For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

MINUTES

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, east side, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer and Joseph Moldau.

For Opposition: Louis C. Foreman, A. Spisto, S. Fogel, Mrs. Marano and A. V. Miller.

ACTION OF BOARD—Laid over to September 30, 1958, at 10 A. M. for inspection and decision; hearing closed.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: Geo. J. Schneider, William Kurtzrock, Chas. T. Eckstein, Robert F. Wasmund, Ella Brunner, Maureen Walthers and Helen Rimbeck.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I, north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Marion E. Horsburgh, Adolph C. Roehm, and Joseph B. Klein.

For Opposition: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cuts within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, north-

east corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Ralph Gargano.

For Opposition: Leon Glaser, William Gutman, Syd Shana, Florence Liskin and Hau Hong Wang.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy and J. Lynch.

For Opposition: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for information as to status of Community Center opposite and as to ownership.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

APPEARANCES—

For Applicant: Vincent D. Luongo and Sebastian Cucurato.

For Opposition: George H. Hearn, Frank Vaccaro, Charles P. DeMartino, Joseph Burruano, Nick Acquasanto, Palma Manda and Michael Coutatari.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard Rothkrug.

For Opposition: Jonathan Bingham.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A.M., for decision; applicant permitted to file reply brief by October 2; hearing previously closed.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

MINUTES

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard Rothkrug.

For Opposition: Jonathan Bingham.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for decision; applicant permitted to file reply brief by October 2; hearing previously closed.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Milton Altman, Simon Gallet, Bernard G. Walpin, Parnell J. T. Callahan, Hiland L. Flowers, M.D., Thornwald Jotten, Esther W. Greenfield, Roslyn Bloom, Esther Busell, Ethel Huttner, Florence Patsiner, Anne Taxson, Bella Goldberg, Robert Holland, William H. Bell, Berila Steinberg, Jonathan B. Bingham, Joseph Schenfeld, Sally K. Merrick, Florence Levin, Rose Grunwald, Marjorie Brooks Silvy C. Shale, Claire Siegel, Rhoda E. Levine, Arthur R. Sanfilippo, Eleanor Lamonte, Annabelle Petrucelly, Stella Fischer, Sara Weinberg, Dorothy L. Flowers, Morris Waletzky, Florence H. Alexander, Gloria Davis, Norma Bernstein and others.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under sections 7h, 7f, 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubricatorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy and Jos. B. Lynch.

For Opposition: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. for inspection and decision; hearing closed; applicant to file an additional drawing showing sections and grades of roadway and service road.

850-47-BZ

APPLICANT—Henry Nordheim for Rose Cardone, owner; Lustromatic Laundry, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of term of variance, expired February 17, 1958—decision of the Borough Superintendent, previously granted on condition, under section 73 of the

Zoning Resolution, permitting in a residence use district, for a term of years, a launderette.

PREMISES AFFECTED—101 Thompson Street, west side 172 ft., 1½ inches south of Prince Street, Block 503, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

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Negative: 0

718-49-BZ—Vol. IV

APPLICANT—Dominick Schirripa, for Bernard I. Taub and Vincent Mastroiani, owners, 86th Street Car Wash, Inc., lessee.

SUBJECT—Application reopened October 23, 1956 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the erection and maintenance of an auto laundry, office, boiler room and also simonizing.

PREMISES AFFECTED—2002-2014 Stillwell Avenue, southwest corner of 85th Street, Block 6860, Lot 21 and part of Lot 32, Borough of Brooklyn.

APPEARANCES—

For Applicant: Dominick Schirripa and Alfred Lican.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

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Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. IV on October 23, 1956 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 13, 1957 after due notice by publication in the Bulletin; and

WHEREAS, this application was laid over to December 10, 1957 at 10 A. M. for inspection and decision; hearing closed; and

WHEREAS, a public hearing was held on this application on December 10, 1957 at 10 A. M. and on December 17, 1957 at 10 A. M. after due notice by publication in the Bulletin; dismissed for lack of appearance; and

WHEREAS, on January 14, 1958 this application was reopened and restored to the docket; previously dismissed for lack of prosecution; and

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; hearing closed; then to September 23, 1958, for further study by the applicant and submission of revised plans showing an ample reservoir for the cars at exit and better exit on Stillwell Avenue; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a business use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 22, 1958 acting on N.B. Applic. No. 1663-56, reads:

"1. Proposed auto laundry, office, boiler room, auto simonizing & parking & storage of cars to be serviced, within a business use district, is contrary to Art. 2 Sect. 4a (52) of zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 145 feet 7½ inches frontage by 5 feet 6¾ inches and 111 feet 4 inches in depth, presently unimproved; that it is proposed to erect a one story building of class III construction, 90 feet frontage by 40 feet in depth; for use as an automatic auto laundry, simonizing, office and boiler room; and

MINUTES

WHEREAS, the applicant contends that the site does not lend itself for either a business or residential use; that stores could not support themselves in this area and new residences would not be feasible; that entrance to the auto laundry will be through an easement across a present auto parking lot in block 6860, lot 32, facing 86th Street; that lot 32 is owned by someone other than the owner of the site of the proposed structure; that cars waiting to be serviced will be parked in the 40 foot wide easement strip leading to the auto laundry; that this parking will eliminate any street parking or traffic congestion; that the leasehold on the easement strip will be for the duration of the term of years as may be granted by the Board; that the building will be well treated architecturally and some planting of shrubs will be provided to make it as attractive as possible; and

WHEREAS, the applicant states that the present owners have held title to the property since October 27, 1948 and that the assessed valuation of land is \$5,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of ten years to permit the premises to be occupied as an automatic automobile laundry substantially as proposed and as indicated on plans filed with this application marked "Received September 18, 1956" one sheet, "September 11, 1957", one sheet, "May 15, 1958" one sheet, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall be located and of the dimensions as indicated on revised plans marked "Received August 2, 1958"; that suitable planting shall be maintained in spaces where indicated; that curb cuts shall be restricted to one curb cut to Stillwell Avenue, where shown, not over 30 feet in width and one curb cut to 86th Street, where shown, of similar width; that the cars shall enter from 86th Street and exit to Stillwell Avenue; that suitable fences shall be maintained on interior lot lines adjoining other properties; that the plot, where not occupied by the proposed building, shall be suitably paved with concrete or asphaltic pavement; that sidewalks abutting the premises on Stillwell Avenue and 86th Street shall be repaired or restored to the satisfaction of the Borough President; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

416-54-BZ

APPLICANT—Max Siegel Associates, for Leator Corp., owner; Kollsman Instrument Corp., lessee.

SUBJECT—Application reopened July 22, 1958 for consideration as to extension of time to complete, expired October 17, 1956—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, the parking of motor vehicles for patrons and employees—no fee to be charged.

PREMISES AFFECTED—42-61 81st Street, east side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, on April 17, 1958, this application was granted

by the Board on certain conditions under Section 7h of the Zoning Resolution, to permit in a residence use district the parking of motor vehicles for patrons and employees, no fee to be charged, affecting premises 42-61 81st Street, west side, 100 feet north of 45th Avenue, Block 1527, Lot 6, Elmhurst, Borough of Queens; and

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation on October 17, 1956; and

WHEREAS, this application was reopened on July 22, 1958 and set for hearing on September 23, 1958 at 10 A. M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated July 14, 1958 acting on Alt. Applic. No. 2918-53, reads:

"1. Extension of this application in order to complete work started pursuant to Cal. 416-54-BZ is contrary to Board of Standards and Appeals Resolution of Cal. 416-54-BZ."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 17, 1956, only insofar as it refers to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained within six months from the date of this amended resolution." (Alt. App. 2918-53.)

Adjourned 1:00 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 23, 1958,
2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

79-57-A

APPLICANT—Leonard F. Rothkrug, for Mary Volpe, doing business as Regina Blouse and Sportswear Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re exits—re Appeal from a decision of the Borough Superintendent—re frame building, commercial use—exits, etc.; previously granted on condition.

PREMISES AFFECTED—1507 DeKalb Avenue, north side, 300 feet east of Knickerbocker Avenue, Block 3236, Lot 47, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 25, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 25, 1958 by adding thereto:

"that in the event the requirements of this resolution are complied with and the exits are furnished and

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maintained as required in the above resolution, the door opening from the space used for manufacturing, leading to the public hall of the multiple dwelling may be retained provided such opening is not used for such exit and so marked."

217-57-A

APPLICANT—Dumas Milner Corporation, new owner.
SUBJECT—Application for consideration—reopening for amendment of resolution as to change of name—re Packaging of combustible mixture known as "Mysticline" on one gallon glass containers, capacity of containers not in accordance with Administrative Code requirements.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 22, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 22, 1957 by adding thereto:

"that in the event Mystic Foam Corporation sells the assets of their corporation to Dumas Milner Corporation as of October 1, 1957, the product as heretofore approved under this resolution may be marketed under the name of the new owner."

351-57-A

APPLICANT—Reuben Rappaport for Trump Realty Corp., owner.

SUBJECT—Appeal April 29, 1957, from decisions of the Borough Superintendent, re sprinkler system in motion picture studio.

PREMISES AFFECTED—241-245 West 54th Street, north side, 197 feet 2½ inches west of Broadway, Block 1026, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Rappaport.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 24, 1957 on Alt. Applic. #1775/56 reads:

"Multiple Dwelling Objections:

"A3—Use of and storage of celluloid or other combustible materials used in conjunction with motion picture studio contrary to Section 12 M.D. L."

and

WHEREAS, the decision of the Borough Superintendent, dated April 24, 1957, on Alt. Applic. #1776/56, reads:

"C1. Provide approved sprinkler system for motion picture studio as per Section C19-117.0(c) Admin. Code."

and

WHEREAS, the decision of the Borough Superintendent, dated June 12, 1958 on Miscellaneous Sprinkler Application #1695/58, reads:

"1. Partial sprinkler protection for area used as a motion picture film studio, is contrary to C26-1376.0. Entire structure to be sprinklered with a two (2) source water supply."

and

WHEREAS, the applicant states that the building is 4 stories, 40 feet in height, 57 feet 6 inches front by 100 feet 5 inches in depth at 1st floor, 57 feet 6 inches front by 54 feet 10½ inches in depth at typical floor of class 3 construction, erected in 1876, located in a business use, B area, class 2 height district and used and occupied since 1953; basement—storage and boiler room; 1st floor—store, offices and motion picture film studio, 30 persons; 2nd, 3rd and 4th floor—6 apartments on each floor; that the building is provided with an approved sprinkler system in the stairs and hallway only; and

WHEREAS, Violation #3627 was issued May 26, 1953 for erecting concrete block cross partition at center of store on 1st floor, without filing plans or obtaining permit; and

WHEREAS, Order #7339-6 was issued by the Fire Commissioner, November 15, 1956, reading as follows:

"1. Submit evidence from the Department of Buildings that premises can be maintained as motion picture film studio C19-110, Adm. Code."

and

WHEREAS, the applicant states that under Alt. Applic. #3017/39, three buildings were converted into one, having one stair from street to 2nd floor and a connecting hallway to the present stairs of each of the former three buildings; that Certificate of Occupancy #26434 was issued August 6, 1940 for the following uses: Cellar—storage and boiler room; 1st floor—stores; 2nd to 4th floors—6 apartments on each floor; that Alt. Applic. #786/51 was filed and approved for the use of 241 West 54th Street store for an automobile showroom and sale of automobile parts and accessories thereby legalizing the existing store front shown on plans filed with this appeal; that the occupant of a portion of the 1st floor including the rear extension has been using the premises from May 15, 1953 as a film studio with a five year lease terminating May 15, 1958; that a bar and grill occupies the centre store at 243 West 54th Street; that the 2nd to 4th floors continued to be used as Multiple Dwelling; that the decisions herein appealed from are due to a change in law requiring Fire Department Permit for the use of 35 millimeter safety film; that the occupant of the portion of the 1st floor including the rear extension as a motion picture film studio, received a Fire Department Order requiring a certificate of occupancy for such use; and

WHEREAS, the applicant contends that the studio use is for limited use only consisting of making stills for advertising purposes, using 16 millimeter safety film; that no other combustible materials are stored or used in the studio; that the film is sent to a commercial laboratory to be processed and developed; that occasionally the advertising agencies, who supply the regular 16 millimeter safety film work to the studio tie in some 35 millimeter safety film work which the studio has to do to keep the account; and

WHEREAS, the applicant contends that due to the limited use of the studio for shooting stills only and the small occupancy and the fact that the studio is in the rear and not actually under the Multiple Dwelling portion of the building; that the studio is protected by fire extinguishers; that only on occasion is 35 millimeter safety film used; that it is requested the Board permit the use of the studio without the requirement of the installation of the sprinkler system, due to the financial hardship; and

WHEREAS, the applicant states that there are no facilities on the premises for storage of film; that the tenant also occupies the 3rd floor of 231 West 54th Street for a film depot under Alt. Applic. #1747/57 and Certificate of Occupancy #47043; that this film depot has a legal fireproof vault and its facilities are used by the film studio of the premises in question; that the only film kept in the premises in question is that being used that day; that when a roll of film is used it is immediately taken out for development; that only black and white safety film is used; that the film is taken as required from the vault of 231 West 54th Street and returned to the vault when finished; that a maximum of 1500 feet of film is used per day; that automobile showroom use was vacated prior to the present use as a motion picture film studio; and

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WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decisions of the Borough Superintendent, dated April 24, 1957, acting on Alt. Applic. 1776/56, under Miscellaneous Sprinkler Applic. 1695/58, dated June 12, 1958 be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that safety film only shall be used on the premises and no other type of film; that the rooms in which such film is stored shall be protected as proposed with sprinkler heads which may be fed from the water line of the building; that upon completion of the use for the day not exceeding 1500 feet of film such film shall be returned as proposed to the vault located at 231 West 54th Street; and that the Appeal shall be complied with in all other respects including the requirements of the Multiple Dwelling Law as expressed in the objection to the Multiple Dwelling use under Alt. Applic. 1776/56, Objection A3.

274-58-A

APPLICANT—Ross and Atkin, for Bruges Realty Corp., owner; Park Terrace Caterers, lessee.

SUBJECT—Application April 28, 1958—Appeal from a decision of the Borough Superintendent, Class 3 construction, Dance Hall use on 2nd floor.

PREMISES AFFECTED—880 River Avenue, east side, 100 feet north of East 161st Street, 2nd floor; Block 2484, Lot 9, Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn at written request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

773-57-A

APPLICANT—Herman E. Horwood, for Dwight C. Harris, Rex Perpall & Lita Harris, owners.

SUBJECT—Application for consideration—reopening for restoration to docket—re Appeal from a decision of the Borough Superintendent—re Class 3 construction, factory egress, etc.; previously withdrawn.

PREMISES AFFECTED—196-198 Chambers Street, south side, 96 feet 6 inches east of West Street, Block 138, Lot 34, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and restored to Docket.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

536-44-A—Vol. III

APPLICANT—Joseph A. Trapani, for Estate of Marion Spinnler, deceased, Louis Wallach, Temporary Executor.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Appeal from a decision of the Borough Superintendent—re increase in occupancy of a nursing home previously permitted by the Board in frame construction; previously granted on condition.

PREMISES AFFECTED—216-16 28th Avenue, south side, 200 feet east of 216th Street, Block 6019, Lot 103, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened as Vol. III subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5

Negative: 0

292-53-BZ

APPLICANT—Multer, Nova & Seymour, for John McGinnis, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the sale and display of cemetery monuments and the erection and maintenance of a building to be used as an office and two car garage.

PREMISES AFFECTED—57-20 164th Street, west side, 133.51 feet south of North Hempstead Turnpike, Block 6730, Lot 44, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Milton Zwisohn.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 8, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 22, 1954; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 8, 1953 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of 5 years from the date of this *amended* resolution, to permit.....; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained.” (N.B. 454/53)

214-27-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Socony Mobil Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, to permit a gasoline station in a business district.

PREMISES AFFECTED—296 West Fordham Road, southeast corner of Major Deegan Expressway, Block 3233, Lot 65, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

540-27-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—Application, decision of the Borough Superintendent, previously granted on condition, under section 21 of the Zoning Resolution, permitting in a business district the maintenance and operation of unenclosed grease pits in connection with a gasoline service station.

PREMISES AFFECTED—450 Flushing Avenue, southeast corner of Bedford Avenue, Block 1715, Lot 31, Borough of Brooklyn.

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University of Illinois Library
Serials Dept.
Urbana, Ill.

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APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

95-28-BZ—Vol. III

APPLICANT—George A. Diamond, for Reisner and Diamond, Free Greek Community, owner; Three Hierarchs Greek Orthodox Church, lessee.

SUBJECT—Application reopened February 25, 1958—Vol. III—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use "E" area district the erection of a two story and basement structure of class III construction as an adjunct to an existing church occupying more than the permitted area and encroaching on the required setback.

PREMISES AFFECTED—1710-1714 Avenue P, southwest corner of East 18th Street, Block 6780, Lots 4 and 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request for reopening withdrawn as to Vol. III at the request of the applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

145-56-BZ—Vol. II

APPLICANT—Jacob Radzivil, for Raymond Feiden & Anne Eisenberg, owners. Hall Oldsmobile, Inc., lessee.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition under section 7h of the Zoning Resolution, permitting in a residence use district, a parking lot for more than 5 cars, accessory to Hall Oldsmobile Agency at 1236 East 17th Street for a term of 5 years.

PREMISES AFFECTED—1266-1276 East 17th Street, northwest corner and 1619-1623 and 1611-1613 Chestnut Avenue, Block 6736, Lots 34 and 82, Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Radzivil.

ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

236-39-SM

APPLICANT—Wheeling Corrugating Company, owner.

SUBJECT—Application for consideration—restoration to docket and test and reports as to additional lath—re Metal Lath and Lathing Accessories; previously withdrawn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 2 P.M. applicant to be notified.

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to September 30, 1958, at 2 P. M. applicant to be notified.

Adjourned: 2:50 P.M.

JOSEPH J. DOYLE, Chief Clerk.

2.05
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BULLETIN

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CITY OF NEW YORK

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Address all communications to the Chairman

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COURT DECISION

Matter of Tuohy vs. Murdock:—On January 21, 1958, the Board granted a variance under Sections 7f, 7h and 7A of the Zoning Resolution, to permit for a period of fifteen years, in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales, and the parking and storage of motor vehicles, with show windows within 75 feet of a residence use district; Cal. No. 342-54-BZ—Vol. II; Premises 76-09 to 76-19 (76-15 official) Main Street and 144-01 to 144-09 76th Road, northeast corner, Flushing, Borough of Queens.

At Supreme Court, Special Term, Mr. Justice Kusnetz, affirmed the Board's determination in the following decision, appearing in the New York Law Journal of July 17, 1958, pages 5 and 6:—

"In a proceeding to review and annul the determination of respondents granting to the predecessors in title of the intervenor-respondent a variance under section 7(f), 7(h), 7(i) and 7(A) of the Zoning Resolution permitting them to erect a gasoline station in a retail use area, respondents and intervenor-respondent move to dismiss the petition and for related relief. Since this court cannot say on the record before it that the determination of respondents was arbitrary or capricious or contrary to law, the motions are granted in all respects (Matter of Taub v. Pirnie, 3 N. Y. 2d 188; Matter of Reed v. Board of Standards and Appeals, 255 N. Y. 126; Matter of Sima v. Board of Standards and Appeals, 278 App. Div. 785; Ellsworth Realty Co. v. Kramer, 268 App. Div. 824). A word may be said as to petitioners' argument that the board was without jurisdiction to pass upon the application for a variance because two of the three members voting were not members of the board at the time of the public hearing and did not read a transcript thereof. In the Taub case (supra) it was contended that a board member who was absent from the hearing and did not read a transcript thereof was disqualified from voting. The Court of Appeals unanimously overruled that contention, saying (at p. 195) that 'the emphasis has always been upon whether the administrative body had the opportunity to make an "informed" decision * * * and, in the absence of a "clear" revelation that the administrative body "made no independent appraisal and reached no independent conclusion," its decision will not be disturbed.' The rationale of that decision requires a like result here. Given an adequate showing of facts to support the conclusion that the vote of the absentee member, as in the Taub case, or of the non-member as in this case, was based upon an independent appraisal and that an independent conclusion was reached, the decision of the administrative body may not be disturbed. Such a showing is made in the papers before the court. Smith v. State of New York (214 N. Y. 140) is not in point. There the rule to be followed in the case of the then Board of Claims was by statute declared to be that applicable to the Supreme Court. The Taub case lays down the rule to be followed in the case of administrative tribunals. Settle orders."

On July 25, 1958 notice of appeal to the Appellate Division, Second Department, was filed by the petitioners.

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CALENDAR

DOCKET

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Cal. No. Dept.

Premises Affected

553-58-BZ—B.M.—355 East 50th Street, north side, 85 feet west of 1st Avenue, Block 1343, Lot 23, Borough of Manhattan, Alt. 2-58—extension of business use; store front and signs, etc.—excessive area coverage—restricted local retail use district.

554-58-A—B.M.—355 East 50th Street, north side, 85 feet west of 1st Avenue, Block 1343, Lot 23, Borough of Manhattan, Alt. 2-58—egress, etc.

555-58-BZ—B.M.—1281-1297 Avenue of the Americas, west side, from West 51st Street to West 52nd Street; 101-129 West 51st Street and 100-126 West 52nd Street, Block 1004, Lot 29, Borough of Manhattan, N.B. 52-58—size exceeds—retail and business use district.

556-58-A—B.M.—1281-1297 Avenue of the Americas, west side, from West 51st Street to West 52nd Street; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, first and second floors, Block 1004, Lot 29, Borough of Manhattan, N.B. 52-58—escalator enclosure.

557-58-BZ—B.Q.—88-01 to 88-15 (88-09 official) Liberty Avenue, and 103-11 to 103-19 88th Street, northeast corner, Block 9108, Lots 19, 22, 25, 28 and 29, Ozone Park, Borough of Queens, N.B. 2394-58—gasoline service station, lubricatorium, minor auto repairs, office, sales, parking and storage of motor vehicles, etc.; ground sign, etc.—business and residence use district.

558-58-SM—Hi-Lo Floor Support, manufactured by Wolfe Products, Inc., Material.

559-58-A—B.Q.—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens, Alt. 1760-56—review of decision of the Borough Superintendent re zoning matter.

560-58-BZ—B.R.—187 New Dorp Lane, north side, 320 feet west of Edison Street, Block 3637, Lot 17, New Dorp, Borough of Richmond, Alt. 370-58—excessive area; parking within open space;—retail use district.

561-58-A—B.M.—210-212 West 42nd Street, south side, 100 feet, 5 inches west of 7th Avenue, 3rd floor, Block 1013, Lot 37, Borough of Manhattan, Amendment to Alt. 365-57—use of third floor as music school.

562-58-BZ—B.Q.—70-02 to 70-20 (70-06 official) Eliot Avenue, south side, from 70th to 71st Streets; 61-01 to 61-13 70th Street and 61-02 to 71-14 71st Street, Block 2927, Lot 1, Elmhurst, Borough of Queens, Alt. 1788-58—extension to existing gasoline station, to include auto washing—non automatic, minor repairs with hand tools only, parking and storage, etc.—residence use district.

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925-54-A—F.D.—160-22, 160-31 16th Avenue; 157-57, 157-58, 160-12, 160-35 and 163-66 17th Avenue; 166-30 17th Road; 168-18 18th Avenue; 199-48 19th Avenue; 199-17 and 199-50 21st

Avenue; 199-19 22nd Avenue; 15-31 159th Street; 15-43, 16-16, 16-25, 17-08 and 18-11 160th Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 16-14 163rd Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 17-28 201st Street; 19-32 and 21-36 202nd Street, 17-29 Utopia Parkway; 163-06, 163-45 and 164-28 Willets Point Boulevard and 158-14 and 160-32 Cross Island Boulevard; Block 4742, Lot 22, Block 4743, Lot 1, Block 4744, Lot 28, Block 4746, Lot 35, Block 4747, Lot 38, Block 4754, Lot 1, Block 4756, Lot 1, Block 4758, Lot 10, Block 4767, Lot 1, Block 5730, Lot 1, Block 5740, Lot 139, Block 5750, Lot 6, Blocks 5778, 5781, 5784 and 5787, Lots 1, Flushing, Borough of Queens, Orders Nos. 15863, etc.—re Certificate of Fitness.

54-36-BZ—Vol. II—B.B.—517-531 (525 official) Gravesend Neck Road, northwest corner of Ocean Parkway, Block 7157, Lot 16, Borough of Brooklyn, N.B. 1018-58—re reconstruction of an existing gasoline service station, to include additional uses of auto laundry—non automatic, minor auto repairs, parking of cars awaiting service, etc.—business and residence use district.

236-45-BZ—Vol. II—B.B.—1736 Pacific Street, south side, 75 feet west of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn, Alt. 546-57—reopened and restored to docket re extension of time to complete, re factory for manufacturing and storage of aluminum products—local retail and residence use district.

1070-47-BZ—B.B.—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn, Amendment to Alt. 4268-47—reopened and restored to docket re extension of time to complete—re auto body painting, body and fender repair work, etc.—business use district.

696-24-BZ—Vol. II—B.B.—1317-1327 36th Street, northeast corner of Louisa Street, Block 5312, Lot 6, Borough of Brooklyn, Alt. 513-58—re public garage, office, spraying, welding, auto repairs, gasoline tanks, etc.—manufacturing and residence use district.

1079-25-BZ—Vol. II—B.B.—915-925 65th Street, north side, 90 feet west of Fort Hamilton Parkway, Block 5743, Lot 31, Borough of Brooklyn, Alt. 2187-58—re motor vehicle repair shop—business use district.

703-56-BZ—B.Q.—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 95, South Ozone Park, Borough of Queens, N.B. 2869-56—reopened by Order of the Court—re gasoline service station, lubricatorium, motor vehicle repairs, parking of more than five motor vehicles, etc.—residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

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RULES

Last Publication

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Cements, Air Entraining Portland, Rules for Approval and Use of	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
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Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
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Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code) ..	June 7, 1932—Vol. 17, No. 23
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

OCTOBER 7, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, October 7, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958—Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner. SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and showrooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

153-58-A

APPLICANT—Lucien David, for Fred H. Hill, owner. SUBJECT—Application March 21, 1958—Appeal from a decision of the Borough Superintendent, re winders in required stairway.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

146-45-BZ—Vol. II

APPLICANT—Joshua Brown for John Swederg, owner. SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.

PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to

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section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

245-58-A

APPLICANT—Lama, Proskauer and Prober, for Edward and Leonard Sessa, owners.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re change from theatre to catering, requires removal of marquee.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

164-58-A

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—Appeal from a decision of the Borough Superintendent re cellar occupancy as Laboratory-Frame Building.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an eleemosynary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of

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the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes

and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

Laid over from May 13, 1958 to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised plans; then to October 7, 1958, at request of the applicant, for possible withdrawal for conforming use.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

Laid over from September 23, 1958 to October 7, 1958, for inspection and decision; hearing closed.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the

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Borough Superintendent, under Sections 7e, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed; applicant to file an additional drawing showing sections and grade of roadway and service road at this point.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building, occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

Laid over from September 23, 1958, to October 7, 1958, for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only; then to October 7, 1958, decision; applicant permitted to file reply brief by October 2, 1958.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

Laid over from July 22, 1958, to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy, then to September 30, 1958, for inspection and decision; hearing closed; then to October 7, 1958, to permit applicant to correct his papers and examiner to prepare corrected digest and for decision; hearing previously closed.

HARRIS H. MURDOCK, *Chairman.*

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OCTOBER 7, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October 7, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

845-57-A

APPLICANT—Sidney H. Kitzler, for Meyer Tucker, owner.

SUBJECT—Application November 21, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 171, subdivision 6 of the Multiple Dwelling Law re increase in bulk and Volume subsequent to 1940.

PREMISES AFFECTED—91-97 West End Avenue and 101-103 Hampton Avenue, northeast corner, Block 7516, Lot 549, Borough of Brooklyn.

440-58-A

APPLICANT—Miles A. Gordon, for Hyman J. Fliegel, owner, Sol Cafe Manufacturing Company, lessee.

SUBJECT—Application July 16, 1958—Appeal from a decision of the Borough Superintendent re: Sprinkler System.

PREMISES AFFECTED—109-25 180th Street, east side, 184.95 feet north of Brinkerhoff Avenue, Block 10343, Lot 215, Jamaica, Borough of Queens.

442-58-A

APPLICANT—Morris Hannes, for 237-239 East 38th Street Realty Corporation, owner.

SUBJECT—Application July 22, 1958—Appeal from a decision of the Borough Superintendent re Class 3 construction, building over 4 stories in height.

PREMISES AFFECTED—237-239 East 38th Street, north side, 125 feet west of 2nd Avenue, Block 919, Lots 23 and 24, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, October 15, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector.

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and

parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958—as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

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PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

122-58-BZ

APPLICANT—Herman Horowitz, for Berno Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubricatorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

Laid over from September 23, 1958, to October 15, 1958, for inspection and decision; hearing closed.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

77-58-BZ

APPLICANT—Hady H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

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Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c, 7a and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out; then to October 15, 1958, for inspection and decision; applicant and objector to furnish evidence of ownership of premises.

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

Laid over from January 7, 1958 to February 11, 1958, for hearing at the request of the Board of Education, as proposed school site in area has not been determined; then to February 25, 1958, for applicant to file plan and further information as to school site; then laid over for inspection and decision; hearing closed; date for decision to be set; then set for September 30, 1958; then to October 15, 1958, for further inspection in view of the change of location of the school and for decision.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, south-

west corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration; then to October 15, 1958, for further inspection and decision.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant; then to October 15, 1958, at request of the applicant, to submit statement of the Borough President as to possible acquisition of property in area.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, for further consideration and decision.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner; Research Animals Inc., under contract to purchase.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under section 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, to permit inspection of site of present operations and in Manhattan No. 252 West 69th Street, for inspection and decision.

HARRIS H. MURDOCK, *Chairman.*

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OCTOBER 15, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October 15, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

111-56-A—Vol. II

APPLICANT—Godfrey L. Hansen, for Neptune Meter Company, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Fire Commissioner re: smoking permits for certain office areas in factory building.

PREMISES AFFECTED—47-25 34th Street, northeast corner of 48th Avenue, Block 250, Lot 1, Long Island City, Borough of Queens.

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

217-58-A

APPLICANT—Dana Development Corp., owner.

SUBJECT—Application April 10, 1958—Appeal from an order and a decision of the Fire Commissioner re Certificate of Fitness.

PREMISES AFFECTED—201-02 to 201-14 Rocky Hill Road, south side, from 201st to 203rd Streets, Block 7353, Lot 101, Bayside, Borough of Queens.

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commissioner re use of Beltran Drying Oven.

PREMISES AFFECTED—62-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

972-57-A

APPLICANT—Wynn Oil Company, owner.

SUBJECT—Application December 26, 1957—Appeal from a decision of the Fire Commissioner re Packaging of Inflammable Mixture known as "Wynn's Friction Proofing Motor Cleaner" in 1 Quart Sealed Containers in New York City; containers not in accordance with Administrative Code requirements.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 21, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 21, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor on an existing masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175-12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 and 89-58—239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Borough of Queens.

364-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Jeanne S. DiLoreto, owner.

SUBJECT—Application June 6, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, D area district, the

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erection of a one story extension occupying more than the permitted area.

PREMISES AFFECTED—80-21 to 80-23 164th Street, east side, 60.43 feet north of 81st Avenue, Block 7014, Lot 26, Flushing, Borough of Queens.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling that exceeds the permitted area coverage, exceeds the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the

Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

Postponed from September 17, 1958, to September 30, 1958, at request of objector; then to October 21, 1958, for inspection and decision; hearing closed.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the prem-

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ises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area; then to October 21, 1958, for applicant to send out notices by regular mail and for inspection.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 21, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, October 21, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

108-57-SM

APPLICANT—J. J. Helff, for Perfect Seal Manufacturing Company, owner.

SUBJECT—Application February 4, 1957—Perfect Seal Acoustical Tile, approval of.

402-57-SA.

APPLICANT—Heil-Quaker Corporation, owner.

SUBJECT—Application May 6, 1957—Heil Gas-fired Conversion Burners, Models GCB-1A, GCB-1, GCB-2, GCB-3 also to be marketed by Sears, Roebuck & Co. as Homart Gas-fired Conversion Burner, Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112, approval of.

505-57-SA

APPLICANT—Edwards Engineering Corp., owner.

SUBJECT—Application June 12, 1957—Spi-Rol-Fin Gold Crown Gas-Fired Hot Water Boiler, Models 600G and 750G, approval of.

653-57-SM

APPLICANT—Owens-Illinois Plywood Company, owner.

SUBJECT—Application August 8, 1957—Owens-Illinois Fire Door, approval of.

744-57-SM

APPLICANT—Farr Company, owner.

SUBJECT—Application September 26, 1957—Far-Air Grease Eliminators—for ventilation hoods in commercial kitchens, approval of.

841-57-SA

APPLICANT—John Gabel, for Wilmot Castle Company, owner.

SUBJECT—Application November 4, 1957—Imperial Bed Pan Washer, Models 1, 2 and 3, approval of.

1038-57-SA

APPLICANT—Liberty Combustion Corporation, owner.

SUBJECT—Application November 29, 1957—Liberty Inshot Conversion Gas Burner, Models LIB150SB, LIB150LC, LIB150SC, LIB150LB, LIB200SC, LIB200SB, LIB225LC and LIB200LB, approval of.

411-58-SM

APPLICANT—Time Saving Fills, Inc., owner.

SUBJECT—Application June 30, 1958—Speed-Kleen Fills, Models 2200, 2200M45, 2200F45 and 3200, approval of.

490-58-SA

APPLICANT—Janitrol Division, Surface Combustion Corp., owner.

SUBJECT—Application August 18, 1958—Janitrol Oil-fired Conditioners, Series OFLS, OFVS, OFDS, and OFHS, approval of.

115-32-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional model "K" oil burner—re Wayne Oil Burner, Model OM and G; previously approved.

800-39-SM—Vol. IV

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Application reopened July 15, 1958 for amendment of resolution as to additional uses of USG Audicote for fireproofing cellular steel floors and beams—re USG Red Top Cement Plaster, fibered, unfibered, extra fibered; USG Red Top No. 1 Moulding Plaster; USG Red Top Special Cement Plaster; USG Structo-Base Plaster, Structo-Gauge Plaster, Structo-Trowel Plaster; USG Sabinite M, USG Sabinite Float Finish and USG Sabinite Trowel Finish, USG Structural Base Coat, USG Structural Gauging Plaster and USG Structocal Trowel Finish Plaster, USG Perfortable Sabinite; previously approved.

1016-39-SM—Vol. III

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional trade name—re Gold Bond Acoustamatic Tile, Gold Bond Insulation Tile and Gold Bond Insulation Plank; previously approved.

91-40-SA—Vols. I, II, III, IV, V.

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional use—re Purox Welding Blowpipes, Prest-O-Weld Welding Blowpipes, Prest-O-Weld Cutting Blowpipe; previously approved.

448-40-SM

APPLICANT—H. H. Robertson Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to method of attaching side joints of adjacent units—re Robertson Keystone Beam Steel Floor and Robertson Cellular Steel Floor; previously approved.

128-41-SA

APPLICANT—American Furnace Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional models of suspended oil-fired furnaces, namely 28-OC and 33-OC—re Afco Ceiling Mounted, oil-fired Air Conditioning Unit, Models 12-OC and 23-OC; previously approved.

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341-44-SM

APPLICANT—Research Products Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to extension of use—re Research Air Filter, Series No. 230, Dry Type; previously approved.

160-47-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of gasoline dispensers 96 BHG and 98BHG—re Gilbert and Barker Gasoline Dispensing Pumps, Models M96HG, M96ER, M98HG, M101, 96HG, 98HG, M-96HGRC and M-98HGRC; previously approved.

809-47-SA

APPLICANT—Fullerton Equipment Corp., for Roberts-Gordon Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional model of gas conversion burner, Model 400-Z—re Roberts-Gordon Gas Burners, Models 400-Z-2, Types H and PH; previously approved.

866-47-SA

APPLICANT—The Linde Air Products Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Oxweld Cutting Blowpipe (various models) and Purox Cutting Attachment Type No. 35 and Type No. CW202; previously approved.

899-47-SA

APPLICANT—Bryant Division of Carrier Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of Gas-Fired Forced Air Furnaces, namely Model 385—re Bryant Winter Air Conditioner; previously approved.

829-48-SA

APPLICANT—The York Shipley Inc., owner. The Nu-Way Corp., former owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership—Models J, K, L, H, CO, IXL and trade names Afco, Bard Leeson, Meyer, Power Oil, Rudy, Thatcher, Waterbury, Fitzgibbons, Mueller Climatrol, Bryan Steam Round Oak, Perfectaive, General Electric, Shepherd, Frontier, Ingersoll, Janitrol, Milwaukee Supreme, Oil Electric, Queen City, Permaglas, Spencer Heater, Weil-McLain, Sooner, Sun, Patten, Synchronomatic, Meridian, Repco, Thermo Oil-O-Matic, Chrysler, Airtemp, Certified Oil, Hall-Neal Victor, J & C, Fire Power-O-Matic, McDonald and Silver Seal Oil Burners; previously approved.

865-48-SM—Vol. II

APPLICANT—H. H. Robertson Company, owner.
SUBJECT—Application reopened January 8, 1957 for amendment of resolution as to additional sections of roof deck—re Robertson Q-3 and Q-12 Roof Deck and Siding Material; previously approved.

241-50-SA

APPLICANT—York-Shipley Inc., owner. Jackson & Church Company, old owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership—re Jackson & Church Oil-fired Suspension Units (various models); previously approved.

229-50-SA

APPLICANT—Iron Fireman Mfg. Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership of Scaife Company—re models GCT-150, GCT-200 and GCT-300 Gas Conversion Burners, GBG-90, GBG-112, GBG-135, GBG-157,

GBG-180, GBD-135, GBD-202, GBD-270, GBD-337 and GBD-405 Gas-fired Boilers, GFJ-75, GFJ-100, GFJ-125, GFL-150, GFL-175, GFL-200, GFK-75, GFK-100, GFK-125, GFU-65, GFU-95, GFU-125, GFW-65, GFW-95, GFW-125, GFV-65, GFV-95 and GFV-125, Timken Silent Automatic Gas Burners, Models GFD-60, GFD-80, GFD-107, GFH-56, GFH-80, GBB-60 and GBR-80; previously approved.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional trade names—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

499-50-SA

APPLICANT—Bryant Manufacturing Company, for Affiliated Gas Equipt., Inc., owner.
SUBJECT—Application for a reopening and amendment of resolution as to new Model designations, namely Model 387—re Bryant Gas-fired Winter Air Conditioner, Model BA 87; previously approved.

350-51-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re ABC Oil Burner, Model 40, Thatcher Furnace Co. under name of Thatcher Oil Burner, Models 751-1, 751-2 and 751-3, Mt. Hawley Div. 1 of Bryant Mfg. Co.—Mt. Hawley Div. Model 40 Oil Burner; previously approved.

211-53-SA

APPLICANT—Speed Queen Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of washing machines, namely A20A, A20C, A20CF, A24, A24W, A25, A25F, A201 and A201F—re Speed Queen Automatic Washer (domestic type) Models A10, A11, A12, A18, A19, A20, A21, A22, A21W, A22W and A20F; previously approved.

489-54-SA

APPLICANT—Delco Appliance Div. of General Motors Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc., under Petroleum, Heat & Power Co., Models D-2 and D-3, Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

580-54-SA

APPLICANT—York-Shipley, Inc., owner.
SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Jackson and Church Gas-fired Suspended Units, Models GA-350 and GA-450; previously approved.

199-55-SA—Vols. I & II

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional use—re Oxweld W-45 Welding Blowpipe and Oxweld CW-45 Cutting Attachment; previously approved.

989-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104BD, 104BDRC, 104BDHG and 104BDHGRC—re Gilbarco Dual Gasoline Dispensing Pump, Model 104D and 104DSA; previously approved.

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990-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104B, 104BRC, 104BHG and 104BHGRG—re Gilbarco Single Gasoline Dispensing Pump, Model 104 and 104HG; previously approved.

385-56-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1006B, 1004B, 1002B, 1006BRC, 1004BRC, 1002BRC, 1006BHG, 1004BHG, 1002BHG, 1006BHGRG, 1004BHGRG and 1002BHGRG—re 1006HG, 1004HG, 1002HG, 1006HGRG, 1004HGRG and 1002HGRG, Gilbarco Calco-Meter Electric Gasoline Dispensers, Models 1002, 1004 and 1006 and Gilbarco Remote Control Gasoline Dispenser, Models 1006RC, 1004RC and 1002RC; previously approved.

720-56-SA

APPLICANT—Burnham Corporation, Boiler Division, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas boiler "Holiday 70"—re Holiday No. 60 Gas Boiler, Models 4-60, 5-60, 6-60, 7-60, 8-60, 10-60 and 12-60; previously approved.

208-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1003B, 1005B, 1007B, 1003BRC, 1005BHG, 1007BHG, 1003BHGRG, 1005BHGRG and 1007BHGRG—re Gilbarco Gasoline Dispensers, Models 1003, 1003RC, 1003HG, 1003HGRG, 1005, 1005HG, 1005RC, 1005HGRG, 1007, 1007HG, 1007RC and 1007HGRG (single standard, remote control, high gallonage); previously approved.

268-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1026B, 1026BRC, 1016B and 1016BRC—re Gilbarco Gasoline Dispensers, Models 1026, 1025RC, 1016 and 1016RC; previously approved.

359-57-SA

APPLICANT—H. A. Simmons for Empire Stove Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas-fired heater, namely WFA-50-Wall Heater—re Empire Gas-fired Recessed Wall Heater, Model WFA-35; previously approved.

412-57-SM

APPLICANT—National Screw & Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marking of bolts—re High Strength Structural Bolts; previously approved.

554-57-SA

APPLICANT—General Fittings Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of electric preheater and permission to market under additional trade names—re General Fittings Electric Oil Immersion Heater, previously approved.

1001-57-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 49RC and 49-TP-RC—re Tokheim Remote Control Gasoline Pumping Units, Models 45-RCP and 46-RCP and Tokheim Island Dispensing Pedestals, Models 45-H-RC and 45-TP-RC; previously approved.

662-57-SM

APPLICANT—E. K. Lofberg for Corning Glass Works, owner.

SUBJECT—Application August 22, 1957—Pyrex Brand Glass Pipe, approval of.

91-58-SM

APPLICANT—Wilcox-Woolford Corporation, owner.

SUBJECT—Application February 5, 1958—Furnaflex; wood veneer for interior walls, approval of.

176-58-SM

APPLICANT—Temp-Resisto Drapery Corporation, owner.

SUBJECT—Application November 7, 1957—Temp-Resisto Drapery Lining, approval of.

339-58-SA

APPLICANT—American Radiator & Standard Sanitary Corporation, owner.

SUBJECT—Application May 23, 1958—American Radiator & Standard Sanitary Corporation Inshot Gas Conversion Burner, Models IN-150, IN-245, IN-275, approval of.

667-54-SA

APPLICANT—Berger Furnace Division of Burnham Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Berger Gas-fired Warm Air Furnace (various models); previously approved.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 28, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 28, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

69-58-BZ

APPLICANT—Leonard F. Rothkrug, for Shenbro Realty Corp., owner; Sol Dwork, lessee.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of one apartment on the ground floor of a multiple dwelling as a clinical laboratory for a term of ten (10) years.

PREMISES AFFECTED—1686 Grand Boulevard and Concourse, northeast corner of East 173rd Street, Block 2823, Lot 36, Borough of The Bronx.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

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863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

91-41-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Getty Realty Corporation, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the increase in the number of broadcasting stations from one to two stations and extend the term of the variance, previously granted, for a term of five (5) years.

PREMISES AFFECTED—2-6 East 61st Street and 795-798 Fifth Avenue, southeast corner, Block 1375, Lot 67, Borough of Manhattan.

422-58-BZ

APPLICANT—Leonard F. Rothkrug, for Joseph Katz and Martin Barell, owners.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the existing patron's and employees' parking lot from the business use portion to the residence portion of the plot for a stated term of fifteen (15) years as accessory to a retail supermarket in the business use portion of the plot.

PREMISES AFFECTED—2532-2554 86th Street, south side, from Bay 40th to Bay 41st Street, 1-11 Bay 40th Street and 2-12 Bay 41st Street, Block 6868, Lots 37, 49, 50 and 51, Borough of Brooklyn.

256-45-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Angelo, Sebastiano and Giuseppe Rodolico and Vincenzo Bongiorno, owners; Aluminum Fabricators, Inc., lessee.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired May 13, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail and residence use district, the change in use from garage for more than five motor vehicles, to manufacturing and

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storage of aluminum building products for a term of ten (10) years.

PREMISES AFFECTED—1736 Pacific Street, south side, 75 feet of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn.

1070-47-BZ

APPLICANT—Skyline Collision Inc., lessee, for Josephine Stock, owner.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired March 19, 1951 and to obtain Certificate of Occupancy—decision of the Borough Superintendent, previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from auto body painting, to auto body painting, body and fender repair work and welding and spraying.

PREMISES AFFECTED—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing-non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the local Board.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of

the applicant; then to November 12, 1958, for decision; applicant to be notified.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 18, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A.

Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

HARRIS H. MURDOCK, *Chairman.*

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REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 30, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meeting of the Board held on Tuesday morning and afternoon, September 17, 1958, were approved as printed in the Bulletin of September 23, 1958, Vol. 43, No. 38.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and George De Combo.
For Opposition: Edward Hoffman, Park Dept.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

302-41-BZ—Vol. III

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station,

the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Laid over, for inspection and decision; date to be set; hearing closed.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to section 35, General City Law re proposed curb cuts in bed of mapped street-proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Laid over for inspection and decision in conjunction with Cal. No. 302-41-BZ, Vol. III; date to be set; hearing closed.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

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For Opposition: None.
ACTION OF BOARD—Hearing postponed to November 18, 1958, at 10 A. M. at the request of the Applicant.

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Robert Piloff, lessee.

SUBJECT—Application August 15, 1956, decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage, to storage and sale of new and used industrial equipment and hardware, sale of same incidental to storage, loading and unloading.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold Lederer.

For Opposition: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 10 A. M. to permit applicant to correct his papers and examiner to prepare corrected digest and for decision; hearing previously closed.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner Boulevard, southwest corner of White Plains Road, Block 3671, Lots 50 and 60, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. for further inspection and decision; hearing previously closed.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 8h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy and Alfred A. Lama.

For Opposition: Raphael H. Weissman.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. for further consideration and decision; hearing previously closed.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. at request of the applicant, to submit statement of the Borough President as to possible acquisition of property in area.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

APPEARANCES—

For Applicant: Charles A. Buckley, Jr. and Sol Wollheim.

For Opposition: Joseph C. De Carlo, Councilman, Maurice Gregoire, Edwin J. Buehler and Arthur Tornatore.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Irving Milchman.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. to permit inspection of site of present operations and in Manhattan 252 West 69th Street, for inspection and decision; hearing previously closed.

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Charles I. Goldman.

For Opposition: Samuel Bodian, Park Dept. and Triboro Bridge & Tunnel Authority and Mrs. Philip Carver.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. for further inspection in view of the change of

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location of the school and for decision; hearing previously closed.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

For Opposition: Max M. Lome, Richard Moody, Joseph Ryasa, Michael Motybear, E. Ellerby, John Dobancorvca and Edna Gaddy.

ACTION OF BOARD—Laid over, date to be set pending information from the applicant as to title to premises and lease to tenant; and for inspection and decision; hearing closed.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: F. P. M. McEnery.

ACTION OF BOARD—Laid over, date to be set for inspection and decision; hearing closed.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: Catherine Gilroy, Mary Spagnoli and Edwin T. Lawrence.

ACTION OF BOARD—Laid over, date to be set; for inspection and decision; hearing closed.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to section 35, General City Law re Curb Cuts in bed of mapped street—Bay Street.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner; Block 2864, Lot 57, Rosebank, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Laid over, date to be set for inspection and decision; hearing closed.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c, 7A and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

For Opposition: Senator Thomas J. Mackell, Frank Cornely, Dorothy Cornely, P. Mansfield, H. Kramer, W. Kramer, Mary Clark, Julia Hall, Jean Grace, Nicholas Losquadra, M. Chelius and F. Hutzler.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. for inspection and decision; applicant and objector to furnish evidence of ownership of premises; hearing closed.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: William E. Kelly, Esq., Vincent Fullucci and John Policano.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

77-58-BZ

APPLICANT—Hadyn H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district, in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use to the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Hadyn H. Craigwell and Anne McDonald.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five

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motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Crinnion.

For Opposition: Sidney Meilman, Abner L. Prioleau, Regina Reid, Julius Datler, Arthur Parks.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Crinnion.

For Opposition: None.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Louis Riger, Lillian Sanelli, Lilly Bruck, Sidney Kupferman, Lillian Gordon, Mary Downes, Olga Froman, Mary Micheales, Rudolph Villani, Hani Bernstein, Robert Nelson Shivers and Eleanor Martini.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubritorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Laid over for inspection and decision; date to be set in November; hearing closed.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Comp., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Laid over for inspection and decision; date to be set in conjunction with Cal. No. 158-58-BZ; hearing closed.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15 inclusive, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Frank Composto, Thomas J. Cuite, Abraham Cohen, Murray Cohen, Michael De Vito, Henry Jacobson, William Hurley, Joseph Sosna, G. Perchiacca, C. Votino, Mary Commarato, John Simonelli, Charles Jarembinsky, Mary Spinoff and Henry Neusse.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a term of fifteen (15) years.

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PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Paul Fino, Stewart Hanson, Carolina Moirano, Anna Rothenberg, Magdalene F. Housen, Rose Gruendel, Santo Santora and Harry Greis.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for applicant to send out notices by regular mail for further hearing and for inspection.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Lama.

For Opposition: Marvin Siegenfield, John R. Hawthorne and Michael L. Hamalak.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Gottlieb.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. for inspection and decision; hearing closed.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, Arthur Levine, and Julius Kranzler.

For Opposition: Beatrice Crispino, Rhea Fish, A. De Prisco, John Nucatola, Josephine Kusmierski, and Henry Kusmierski.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of fifteen (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Kornblath.

For Opposition: Frank J. Pino, Anna Tripodi, Angela Regina, C. M. Martini, Jr., Naomi W. Pratt, Ann Marsili, Vincent T. Marsili, Lona Brogata, Mrs. A. Capaldo, Mrs. L. Farella, Mrs. L. Verne Foronda, Mrs. Irene Day, Desiree Martini, Mrs. Frank Tropea, Mrs. Jos. Galeazzi, Margaret M. Kealy, A. J. Mosea, Frederick F. Kahles, Irving M. Kramer, Edward Vogel and others.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Irving Haber.

For Opposition: None.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A. M. for inspection and decision; hearing closed.

794-52-BZ—Vol. III

APPLICANT—Goldwater and Flynn, for Bay Buick, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, parking and storage of motor vehicles and an auto safety inspection station.

PREMISES AFFECTED—215-35 Northern Boulevard, north side, from 215th Place to 216th Street, Block 6309, Lot 23, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Louis R. Colman.

For Opposition: None.

ACTION OF BOARD—Application withdrawn at request of applicant without prejudice.

THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Chairman Murdock 1

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, 7h of the Zoning Resolution to permit in a local

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retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner, Northern Boulevard and 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 3, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in local retail and residence use, D area, class ½ height districts; Northern Boulevard is in a local retail use, D area, class ½ height district; 233rd Street and 234th Street are in local retail and residence use, D and G area, class ½ height districts; that Northern Boulevard was zoned for business from 1916 to August 2, 1957 at which time it became local retail; and

WHEREAS, the decision of the Borough Superintendent, dated May 9, 1958 acting on Alt. Applic. No. 37-58, reads:

"1. The storage, sales and installation of auto seat covers, and minor motor vehicle repairs, hand tools only—limited to muffler installation and service; and parking of more than five cars, partly in a local retail and partly in a residence use district is contrary to Art. II Sec. 4-c and Sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consists of a plot, 88 feet and 69 feet frontage by 137 feet in depth, on which is located a one story building which is used for sales display, storage and installation of auto seat covers, for which use Certificate of Occupancy No. 117209 was issued in 1957; that a previous grant by the Board under Cal. No. 447-48-BZ, dated September 28, 1948 approved the use of premises under Section 7e for the sale of new and used cars; that it was reopened November 25, 1952 and extended for five years to 1957; that it is proposed to extend the present one story building facing Northern Boulevard 38 feet west; that this bay will provide the space for the storage and installation of the mufflers; that for the 12-car patron parking area, it is proposed to grade the plot, surface it with three inches of rolled cinder, provide bumpers and erect a 6 foot 6 inch high chain link fence along the lot line; and

WHEREAS, the applicant states that the building and the extension are located entirely within the local retail district; that all muffler work will be restricted to the extension and no work will be done outside of the building; that only two cars can be serviced at one time; that the area allotted to the muffler service is less than 5% of the area of the plot; that although only a one story building, because of the filled land, the bearing capacity of the soil is so poor that it will be necessary to drive piles; that the owner is willing to spend the money for the extra cost of the piles and reinforced concrete foundation, and in addition, erect a concrete plank roof on steel trusses; that only incombustible materials will be used for the extension; and

WHEREAS, the applicant contends that it will not be a motor vehicle repair shop as is commonly understood; that

there would be no automotive—moving parts—repairs, no ignition work and no body or fender work; that it would not be a nuisance as there will be no smoke, odor, fumes or noise; that the temporary parking will be limited exclusively to patrons during working hours, no fees will be charged and there will be no Sunday parking; that the premises is on a corner; that to the west there are two gas stations, to the south there is extensive undeveloped swamp land, to the east there is 234th Street, a parking lot and Chevrolet sales and service building and to the north, across the street, there is 100 foot wide Northern Boulevard and extensive undeveloped swamp land; that the plot is completely surrounded by vacant land and non-conforming uses; that within the affected area along Northern Boulevard 35% of the frontage is allotted to non-conforming uses and 65% is undeveloped land; that the sole lessee and operator of the entire premises is the Rayco Company which will be responsible for maintaining the premises and conducting the muffler service as an accessory use to its auto seat cover service; and

WHEREAS, the applicant further contends that the granting of this application for the muffler service and for the temporary parking for more than five motor vehicles for patrons only, would enable the owner to make a reasonable and just use of his property without affecting anyone adversely, and the City of New York would stand to benefit by an annual increase in taxes of about \$600; that this proposed extension to the existing business would result in a definite improvement in the general appearance of the premises and will be an asset to the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since September, 1956; that the assessed valuation of land is \$26,600 and of the building \$22,800 making a total of \$49,400; that the building was erected in 1956-57; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on September 28, 1948 by adding thereto:

"that in the event the owner desires to construct an extension of the building for similar use as the existing building, as previously permitted, and specifically for minor vehicle repairing to include also the installation of mufflers and tail pipes, that such construction and use may be permitted for a term of 10 years under Section 7e and 7i for the existing uses as granted under Volume I and the additional extension of building and uses herein permitted; that there may be parking of cars under Section 7h in connection with the use of the premises for a similar term; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

453-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Joseph Angelastro, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7i, 7A and 21 of the Zoning Resolution, to permit in a business use, "C" area district, for a term of (15) fifteen years, the change in occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop for body and fender repairs with welding and incidental painting and spraying, the elimination of loading and unloading areas, thus increasing the area coverage in excess of that permitted, with business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—1007-1013 Utica Avenue and 5001-5009 Tilden Avenue, northeast corner, Block 4722, Lots 40 and 43, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

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For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 25, 1958 subject to regular procedure, to consider a new proposal previously withdrawn; and

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Utica Avenue are in a business use, C area, class 1 height district; Tilden Avenue is in business and residence use, C area, class 1 height districts; East 51st Street is in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 5, 1958 acting on Alt. Applic. No. 72-58, reads:

"1. Proposed change of occupancy from sale and display of new and used motor vehicles, new parts and accessories to sale and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repairs, body and fender repairs, welding and incidental painting and spraying in a Business Zone is contrary to Article II, PP. 4a, subsections 4 and 29 of the Zoning Resolution.

2. Business entrance and show windows within 75 feet of a Residence Zone are in violation of Art. II, PP 7-A of the Zoning Resolution.

3. Loading and unloading spaces which were originally provided in the building and were exempted from occupied area under Art. IV, PP. 19h have been eliminated and therefore area of building exceeds permitted coverage in violation of Art. IV, PP. 13 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 70 feet frontage by 90 feet in depth, presently developed with a building one story in height, of class 3 construction, having a frontage of 70 feet and a depth of 90 feet and now occupied as sales and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repair shop, body and fender repairs, welding and incidental painting and spraying; that it is proposed to obtain a variance for a temporary period of fifteen years to maintain the present uses of sales and display of new and used motor vehicles, new parts and accessories, lubrication, motor vehicle repairs, body and fender repairs, welding, incidental painting and spraying; that it is also proposed to cut a new door between these buildings so as to use the uses conjunctively; that it is further proposed to omit the loading and unloading areas as required under the original Building Department approvals; and

WHEREAS, the applicant states that Department of Buildings records shows that the building on lot 40 was erected under N.B. Applic. No. 1066-57 for use as sales and display of new and used motor vehicles, new parts and accessories and 13 foot by 30 foot 6 inches loading area; that Certificate of Occupancy No. 158220 was issued on November 19, 1957 for said uses; that the building on lot 43 was erected under N.B. Applic. No. 1068-57 for use as sales and display of new and used motor vehicles, new parts and accessories and 11 foot by 36 foot loading area; and

WHEREAS, the applicant contends that the proposed maintenance of the present uses on these premises will be in keeping with the present non-conforming uses within the affected area which are as follows: block 4722, lot 64—motor vehicle repair shop; block 4724, lot 11—motor vehicle

repair shop; that the buildings now have legal uses of sales and display of new and used vehicles, parts and accessories, the additional uses of motor vehicle repair shops, lubrication, body and fender work, welding, incidental painting and spraying which are necessary and required in order to run a successful automobile agency, and are only incidental to the main uses of sales and display of new and used cars; that the land and buildings are very high in assessed value so that it is mandatory for the owner to request this variance in order to receive an equitable return on his large investment; and

WHEREAS, the applicant further contends that the business entrance within 75 feet of the residence zone was the original loading and unloading door, and inasmuch as there is no physical change contemplated on this opening, the proposed new use of this door will not be any more detrimental to the residence use district than it was before as a loading and unloading door; that the permissible allowable occupied area is 5225 square feet; that the omission of the loading and unloading spaces now make the buildings 618 square feet in excess of the permitted area; that the assessed value is based upon a computed value of the total amount for lots 40, 43 and 44; and

WHEREAS, the applicant states that the present owner has held title to the property since April 26, 1957; that the assessed valuation of land is \$11,000 and of the buildings \$50,000 making a total of \$61,000; that the buildings were erected in 1957; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board upon the revised proposal of the owner to omit door into the proposed repair shop through to the former unloading area on Tilden Avenue; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under Section 7i for a term of 5 years, to permit the adjoining building as shown on plans filed with this application marked, "Received March 4, 1958," 4 sheets, and "May 14, 1958," 2 sheets, as proposed opening; that the space formerly used as an unloading space now proposed to be used as adjustment area shall have no entrance of any type in the dividing wall connecting with the portion of the adjoining building where the repairing work is herein permitted; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner directs; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

355-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano for Ernest R. La Porte, Patrick Mattia and Anthony Poverno, owners. Lessee, Cities Service Oil Corp.

SUBJECT—Application reopened January 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from parking lot with used car sales, previously granted by the Board for the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car washing (non-automatic) and parking, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—984-998 East 180th Street and 2081-2099 Bryant Avenue, southwest corner, Block 3132, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug, Anthony Poverno and Ernest La Porte.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 7, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 8, 1958 after due notice by publication in the Bulletin; laid over to July 22, 1958, for inspection and decision; hearing closed; then to September 30, 1958, for deferment of the decision by the Board at request of the applicant; applicant to file revised plans; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Vyse Avenue and Bryant Avenue are in business and residence use, B area, class 1¼ height districts; East 180th Street is in a business use, B area, class 1¼ height district; East 179th Street is in a residence use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 8, 1957 acting on N.B. Applic. No. 1335-57, reads:

"1. Proposed use of gasoline service station, lubricatorium, minor repairs, car washing, office sales & parking of motor vehicles in a business use & residence use district is contrary to Art. II Sect. 3 & 4 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 159.72 feet frontage by 188.48 feet and 193.77 feet in depth, irregular in area, used and occupied in accordance with Resolution of the Board under Cal. No. 355-56-BZ and Certificate of Occupancy No. 21762 for storage and parking of more than five motor vehicles and storage and sales of used cars; that it is proposed to erect and maintain the premises for a gasoline service station, lubricatorium, minor repairs, non-automatic car washing and parking; that the gasoline service station use will be limited to that portion of the premises in the business use district, and the balance of the premises will be used for parking as previously granted by the Board; that no curb cut is proposed in the residence use district portion; and

WHEREAS, the applicant contends that the premises cannot be economically improved with a conforming use; that East 180th Street is in a business use district so that the major portion of the premises could be lawfully developed with a factory use conforming to the Zoning Resolution; that the balance of the plot is in a residence use district; that this neighborhood is one of the oldest and earliest developed in the Borough, and there has been no new construction within the affected area for over twenty five years; that the high cost of new residential structures makes such improvement impractical; that the deteriorated condition of the neighborhood, the lack of any mortgage commitment after numerous attempts to obtain financing and the undesirability of the location of the premises, make the required rents of the apartments of a new multiple dwelling too high to permit rental; and

WHEREAS, the applicant further contends that there is a need for a gas station in this neighborhood as there are no gas stations within the affected area, or the near neighborhood, to provide this necessary community service; that there is no zoning within the affected area which will permit this necessary use; that the only basis for providing such use is by grant of a variance subject to appropriate conditions and safeguards, which would prevent the use from having any adverse effect on the surrounding area; that a factory building conforming to a business zone could be erected to front on 180th Street without any limitation or conditions as to its construction, hours of operation, maintenance or emanation of noise and odors; that a grant of this application upon conditions will insure the maintenance of these premises by a major oil company interested in keeping good will, and the erection of a modern station designed to avoid any adverse effect on the adjoining premises; and

WHEREAS, the applicant also contends that the property opposite the premises on East 180th Street is occupied by a cemetery which has been closed and is maintained for historical purposes, and adjoining the cemetery is a large vacant plot; that there has been no new population increase and no new construction to warrant the economic construction of retail store facilities as the existing retail stores more than adequately accommodate the needs of the community; that these premises were purchased from the Autokefalos Orthodox Spiritual Church of St. George, The Tropeophoros, who had purchased the property for Church use and then abandoned the project because of the poor condition of the community; and

WHEREAS, the applicant states that the present owner has held title to the property since November 15, 1955; that the assessed valuation of land is \$50,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Church has advised the Board that it has withdrawn its objection to the change of use of a portion of the plot in view of the agreement that a certain portion is to be retained for their specific use for parking by members of the congregation; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit a portion of the premises within the business use district to be occupied as a gasoline service station and uses lawfully accessory thereto, as proposed and as indicated on plans filed with this application marked "Received December 4, 1957," two sheets, "May 16, 1958," two sheets, "May 28, 1958," one sheet, "June 4, 1958," one sheet, and revised plans marked "Received August 29, 1958," one sheet, *on condition* that the parking use formerly permitted by the Department of Buildings within the business use district shall be discontinued for this portion of the premises but parking may be continued in the premises toward the south, as now permitted; under Volume I; that the accessory building shall be of the design and location as shown and meeting the requirements of the Building Code in all other respects; that there shall be no cellar under such building; that the building shall be faced on all sides with face brick; that pumps shall be located where shown and not nearer than 15 feet to the street building line of East 180th Street; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the balance of the premises shall be paved with concrete or asphaltic pavement; that curb cuts shall be restricted to two curb cuts each 30 feet in width to East 180th Street and one 20 feet in width within the first 25 feet from the intersection along Bryant Avenue; that sidewalks and curbing shall be constructed or repaired to the satisfaction of the Borough President; that a portion of the premises as shown on plans cited above may be used for parking in connection with the Church, to a width of fifteen feet and a depth of one hundred feet; that under Section 7i there may be minor repairing with hand tools only for adjustment maintained solely within the accessory building; that under Section 7h there may be parking of cars and used car sales as previously permitted provided such parking and sales do not interfere with the servicing of the station; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all temporary signs and roof signs and advertising devices but permitting the erection within the building line of a post standard for supporting a sign which may be illuminated advertising only the brand of gasoline on sale, and located where shown, extending not more than four feet beyond the building line at right angles to East 180th Street; that the requirements of the

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resolution adopted under Vol. I on November 27, 1956 relating to parking use within the residence area shall be complied with including planting as shown on plans as above cited and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

599-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Marguerite F. Brower and Fredrene Realty Corporation, owners.

SUBJECT—Application reopened June 24, 1958 as Vol. II—decision of the Borough Superintendent under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales and parking of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—758-766 Fulton Street and 423-433 Carlton Avenue, southeast corner, Block 2007, Lots 38 and 40, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 24, 1958 subject to regular procedure, to consider enlargement of and rearrangement of existing gasoline service station; and

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Fulton Street are in a business use, B area, class 1½ height district; Carlton Avenue and Adelphi Street are in business and unrestricted use, B area, class 1½ height districts; and

WHEREAS, the decision of the Borough Superintendent, dated May 27, 1958 acting on N.B. Applic. No. 1214-57, reads:

"1. Proposed amendment to increase the size of plot and rearrangement of Gasoline Service Station to include the following use of 'Gasoline service station, lubritorium, minor auto repairs, car washing, office & sales, storage and toilets and parking of cars waiting to be serviced,' on a plot located within a Business Use district is contrary to Art. II PP. 4(a), subsections 29 and 46 of the Zoning Resolution and also contrary to Board of Standards and Appeals resolution Cal. #599-57-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 88 feet 3 inches frontage by 119 feet 11 inches in depth, presently developed with two buildings designated as buildings A and B; that building A is three stories in height, of class 3 construction, 21 feet by 35 feet, now occupied as store and two families; that building B is one story in height, of class 4 construction, 21 feet by 21 feet, now occupied as a two car garage; that it is proposed to obtain a variance for a temporary period of fifteen years in order to enlarge the gasoline service station that was approved by the Board under Cal. No. 599-57-BZ, so that it will now have a frontage of 88 feet 3 inches on Fulton Street, 119 feet 11 inches on Carlton Avenue, 21 feet 4 inches on the southerly lot line and 83 feet 9 inches on the easterly lot line; that the new size gas station will consist of twelve 550 gallon buried gasoline tanks and six gasoline dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, with a frontage of 28 feet 4 inches, a

depth of 21 feet 4 inches, irregular in shape, and will contain the conjunctive uses of lubritorium, car wash, minor auto repairs, office and sales; that a portion of the open area will be reserved for parking of cars awaiting service; and

WHEREAS, the applicant states that the site is situated approximately one half mile from the main shopping center of the entire Borough of Brooklyn, so that the erection of stores on this plot would not be economically feasible due to the high construction costs, in addition to being in a low rental area; that the plot is small, triangular in shape and very high in assessed value and it is therefore mandatory for the owner to develop this site as proposed in order for him to receive an equitable return on his investment and continue to pay City taxes; that the block in which the site is located is 90% in an unrestricted use district so that the erection of a gasoline service station would not adversely affect any of the adjoining property owners; that the building contemplated will be highly modern in design and will lead the way to any new development in this area; that curb cuts will be restricted to two 30 foot cuts on Fulton Street and two 30 foot cuts on Carlton Avenue; that the dispensing pumps will be set 10 feet in from the building line of Fulton Street so that pedestrian traffic will be amply protected; and

WHEREAS, the applicant further states that Department of Buildings records indicate that there is no record of New Building for Building A; that the last alteration use under Alt. Applic. No. 291 of 1894 was given as store and dwelling; that there is no record available for Building B; that records further indicate that under N.B. Applic. No. 1214-57 and Cal. No. 599-57-BZ, permission was granted to erect a gas station on lot No. 38; and

WHEREAS, the applicant contends that Fulton Street is a heavily trafficked auto lane and inasmuch as there are no other gas stations within the affected area, the proposal is entirely within keeping and will provide a necessary and vital service to this neighborhood; and

WHEREAS, the applicant states that the present owners have held title to Lot 40 since February 23, 1938 and to Lot 38 since October 23, 1940; that the assessed valuation of land is \$13,050 and of the buildings \$5,650 making a total of \$18,700; that the buildings were erected prior to 1894; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; that a gasoline station was permitted by the Board under Vol. I by resolution adopted February, 1958 which has not been constructed and the present application proposes enlarging it.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 4, 1958, by adding thereto:

"that in the event the owner desires to enlarge the area of the gas station and adopt the arrangements as now proposed and as indicated on Plans marked 'Received May 28, 1958,' 4 sheets, such extension of area may be permitted and the arrangement may be as shown on such revised plans *on condition* that similar requirements as included in the resolution of February 4, 1958 shall apply, where not inconsistent with this amended resolution; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

946-57-BZ

APPLICANT—Herman E. Horwood, for Agnes B. McLaughlin, owner; Highbridge Body and Fender Works, lessee.

SUBJECT—Application December 20, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, for a term of five (5) years, the use of the building on the rear north side of the lot, which was erected as a five (5) car garage, to be used for motor vehicle repair shop specializing in body and fender work.

PREMISES AFFECTED—1029-1031 Ogden Avenue, west side, 175 feet south of West 165th Street, Block 2525,

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Lot 30, Borough of The Bronx.
APPEARANCES—

For Applicant: H. E. Horwood.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a local retail use, B area, class 1¼ height district; that the premises was known for business use until May 20, 1952 at which time it was changed to local retail; that there has been no change in the 1¼ height or B area district regulations; and

WHEREAS, the decision of the Borough Superintendent, dated November 21, 1957 acting on Alt. Applic. No. 1052-57, reads:

"1. Proposed use of store and repair shop in a local retail district is contrary to Art. II Sect. 4-c of the Z. R."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 90 feet in depth; that it is proposed to permit the use of the building on the rear north side of the lot, which was erected as a five car garage, to be used for motor vehicle repair shop specializing in body and fender work, for a term of five years; and

WHEREAS, the applicant states that the portion under appeal is constructed of concrete blocks and was erected in 1927, the store at front in 1921 and the dwelling in 1885; that the property was purchased on October 28, 1928, as now existing, by the present owner who resides in the dwelling, and the tenant of the repair shop has been there for about ten years past; that there are no motor driven bench tools used except a tool grinder and a small compressor, all other work being done by hand tools, electric drills, etc., with a small amount of spraying to touch up repaired parts; that this is a very small business and no work is done before 8:30 A. M. or after 5:30 P. M. on week days, none on Saturday or Sunday, nor is any work ever done outside of the building; and

WHEREAS, the applicant contends that on the same side of Ogden Avenue, on the block north of the premises in question—block 2526—are two public storage garages and two parking lots, and on block 2514, lot No. 1 is a parking lot, lot 9 is a City firehouse and on lot 11, under Cal. No. 869-27-BZ, Vol. II was recently granted for a parking lot; that there is no alteration contemplated on the building under appeal, and as same is on the rear of the lot with open driveway leading to same, there can be no adverse effect on surrounding property; and

WHEREAS, the applicant further contends that all work is done by the proprietor and one helper; that the store at the front is used as an office by a refrigerator service company; that much of the work comes from persons storing cars in the garages and parking lots in the vicinity, and this business actually is a convenience to the neighborhood as there are no body and fender repair shops anywhere near the premises under appeal, and due to its location at the rear of the lot, it is not possible to rent same for a conforming use in this local retail district; and

WHEREAS, the applicant states that the present owner has held title to the property since October 28, 1948; that the assessed valuation of land is \$16,000 and of the building \$4,000 making a total of \$20,000; that the buildings were erected in 1885, 1931 and 1937; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7e for a term of five years to permit the use of the building at the rear, formerly erected as a five car garage, to be occupied as proposed for motor vehicle repair shop including body and fender work; including the use of a welding torch under proper permit obtained from the Fire Department; that the building in front shall not be used in connection with such motor vehicle repair work; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

22-58-BZ

APPLICANT—Burke, Green and Groh, for Roy M. Liebler, owner.

SUBJECT—Application January 23, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, auto wash (non-automatic), lubritorium, office, sale of auto accessories, parking of cars awaiting service and minor repairs with hand tools only.

PREMISES AFFECTED—193-06 Jamaica Avenue, southeast corner of 193rd Street, Block 10821, Lot 38, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: John J. Howley.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0
Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Jamaica Avenue are in a retail use, D area, Class ½ height district; 193rd Street and 195th Street are in retail and residence use, D and E area, class ½ height districts; Woodhull Avenue is in a residence use, E area, class ½ height district; that as of July 25, 1916 the property was zoned as a business use district, C area, class 1 height; that on January 27, 1947 the use district was changed from business to retail and on June 30, 1952, C area was changed to D area and the class 1 height was changed to class ½ height; that there are no further changes pending before the City Planning Commission at this time; and

WHEREAS, the decision of the Borough Superintendent, dated January 20, 1958 acting on N.B. Applic. No. 4123-57, reads:

"1. Proposed erection of a gasoline service station, auto wash (non-automatic), lubrication, office, sale of auto accessories, parking of cars awaiting service, minor repairs with hand tools only, on a lot located in a retail use district is contrary to Article II Section 4A of the Zoning Resolution.

2. Proposed ground sign within the retail use portion of lot is contrary to Article II Section 4A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist

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of a plot, 90 feet frontage by 89.57 feet in depth, presently vacant; that it is proposed to develop the site with a modern gasoline station, the accessory building of which will be set 37 feet 6 inches back of the Jamaica Avenue building line and 8 feet from the east lot line; that the accessory building will be colonial in design, having a peaked roof and finished with face brick on all sides; that pumps, set 15 feet back of the building line, will be installed only along the Jamaica Avenue frontage; that two 30-foot wide curb cuts will be installed along Jamaica Avenue and a 20 foot wide cut installed on 193rd Street near the intersection; that except where the wall of the adjoining brick building to the east occurs, a 5 foot high woven fence on a 6 inch high concrete base will be erected on the interior lot lines; that a shrubbery area protected by concrete curbs will be provided along the 193rd Street building line; and

WHEREAS, the applicant contends that the site fronts on a business district consisting of retail stores and a theatre, and directly across the proposed site is a water pumping station; that on the westerly side of 193rd Street is an office building with parking area and there is also a parking area on the northeast corner of 192nd Street and Jamaica Avenue; that the nearest gas station is located on the southeasterly side of 195th Street and Jamaica Avenue; that due to the nature of the district, plus the increased flow of traffic along Jamaica Avenue, the Board is requested to favorably consider this application for a gas station; and

WHEREAS, the applicant states that the present owner has held title to the property since March 2, 1951 and that the assessed valuation of land is \$11,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions f, e and i of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. 4123-57, Objections No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

67-58-BZ

APPLICANT—Joseph W. Genzardi, for Valerio Curcio, owner; Scelza-Cordovano, lessee.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the relocation of an existing funeral home establishment to the one story and basement building formerly used for the manufacture and retail sale of bakery products, which is located on the opposite side of the street.

PREMISES AFFECTED—1709 Zerega Avenue, south side, 92.4 feet west of Maclay Avenue, Block 3991, Lot 67, Borough of The Bronx.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; and

Laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Maclay Avenue are in a residence use, D area, class 1 height district; Parker Avenue and Zerega Avenue are in retail and residence use, D area, class 1 height districts; Castle Hill Avenue is in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 22, 1958 acting on Alt. Applic. No. 26-58, reads:

"1. The proposed use and occupancy of the building in a Residence Use District as a Funeral Parlor is contrary to Article II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 103.41 feet in depth, on which is located a one story building at ground level with basement underneath, and contains a store, oven and a one family residence; that the building has been used for a considerable number of years for the manufacture of bakery products and for the retail sale of the products so baked; that it is proposed to change the present existing store front and entrance by erecting a facade of green and white marble, with flush glass doors opening up into a lobby and office behind which, and not seen from the street, will be the two chapels proposed to be constructed; that bathroom facilities for men and women and a showroom are proposed to be constructed and maintained in the basement; that under the alteration proposed, the exterior of the premises will be changed from the usual brick store front to an attractive marble front, beautified as set forth in the plans, with a quiet dignity and is far more in conformity with the residential character of the surrounding area, than the building affected as presently erected; that it is not proposed to use that portion of the building wherein the oven is presently located; that it is also proposed to brick up, according to requirements of the Building Department, the front wall of the oven, so that the wall when erected, will effectively cut the oven off from use and the wall will be the rear wall of the office; and

WHEREAS, the applicant states that Scelza-Cordovano, Inc., on whose behalf this application is brought, is not seeking to bring in a new non-conforming use to the area, but is presently maintaining a permissive business at premises 1668 Zerega Avenue, located at the northeast corner of Zerega and Maclay Avenues; that this business was established at the above address some 35 years ago; that as a result of changing conditions and increased services given by funeral homes, the premises in which Scelza-Cordovano, Inc. is presently located is inadequate to expand the services, which by modern business methods adopted and in custom and use, are required to be given and as a result thereof it is an absolute necessity that they move to larger quarters in order to be in a position to give the services on a competitive basis; that it would be a severe hardship to said corporation were it required to remove from the area in which it has engaged its business for over 35 years; that the premises, the subject matter of this application, lies approximately 150 feet southwest of the premises presently occupied by Scelza-Cordovano, Inc.; that as above stated, the bakery for the manufacture of bread and rolls and the retail sale of the same is a permissive use, so the application made herein does not increase the non-conforming uses allowed in area, but in fact, will reduce the permissive uses allowed; that Zerega Avenue was formerly zoned business and the property in the area for the most part was improved before the change of zoning with rows of stores and apartments above, and a considerable amount of neighborhood business is conducted in the area; that diagonally opposite the premises in question at 1710 Zerega Avenue, the property is occupied by private garages; that within the past two years the Board granted a variance for the property lying on the northwest corner of Zerega Avenue and Fuller Street to permit the maintenance of a parking lot; that this is within the 400 foot radius of the property affected herein; that the granting of this application will in effect upgrade the use permitted on the premises in question in that the manufacturing of bakery products and the odors emanating from the oven, to which many neighbors objected, will be forever removed, as will the trucking entailed in transporting flour and other ingredients used in the conduct of that business; and

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WHEREAS, the applicant contends that the applicant seeks to remove a permissive business in a residential area from its present location some 150 feet southwest to the premises 1709 Zerega Avenue, a building in which the present permissive use is the manufacturing of bakery products and the retail sale of the same; that the proposed change will in effect upgrade the use to which the building affected can be used for a permissive business and the proposed alteration will beautify the premises so that the same will be more in conformity with the residential zoning of the surrounding area; and

WHEREAS, the applicant states that the present owner has held title to the property since November 1, 1939; that the assessed valuation of land is \$3,000 and of the building \$9,000 making a total of \$12,000; that the building was erected in 1928; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of 10 years, to permit the building to be occupied solely as a funeral home for funeral services without undertaking, as shown on plans filed with this application marked, "Received February 20, 1958," 4 sheets and "June 26, 1958," 1 sheet; *on condition* that the building shall not be increased in height or area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the former building occupied by this owner at 1668 Zerega Avenue, shall be discontinued for such funeral home use in view of this resolution permitting the use of the building at 1709 Zerega Avenue, and that all permits shall be obtained and a Certificate of Occupancy under Section 22A of the Zoning Resolution.

94-58-BZ

APPLICANT—James E. Vassalotti, for Sheljay Construction Corp., owners.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, minor auto repairs, car washing, storage room, office and sales and the parking and storage of motor vehicles in the open area for a temporary period of fifteen (15) years.

PREMISES AFFECTED—25-55 to 25-75 (25-65 official) Brooklyn-Queens Expressway, 69-01 to 69-09 30th Avenue, northeast corner and 2544-2562 70th Street, Block 1046, Lot 1, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; laid over to July 15, 1958, for inspection and decision; then to September 30, 1958, for decision; after area has been further developed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Brooklyn-Queens Expressway, 30th Avenue and 70th Street are in a residence use, D area, class 1 height district; that as of July 25, 1916 the premises were in an unrestricted use district and class C area district; that the present use and area designations became effective July 31, 1947; and

WHEREAS, the decision of the Borough Superintendent, dated February 24, 1958 acting on N.B. Applic. No. 4368-57, reads:

"1. Proposed erection of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking and storage of motor vehicles in open area and the erection of a ground sign on a lot in a residence use district is contrary to Art. 2, Sec. 3 of the Z. R."

and

WHEREAS, the applicant states that the premises consist of a plot, 196.44 feet frontage by 207.17 feet in depth, irregular, presently vacant; that it is proposed to erect a modern gasoline service station consisting of twelve approved type buried gasoline tanks and nine dispensing pumps; that the contemplated accessory building will be one story in height, of class III construction, with a frontage of 58 feet, a depth of 30 feet and will contain the conjunctive uses of lubritorium, minor auto repairs, car washing, storage room, office and sales; that a part of the open area will be reserved for parking and storage of motor vehicles; and

WHEREAS, the applicant contends that the site occurs in an area that is rapidly being developed with many attached one family dwellings and the erection of a gasoline station on this site will provide an essential and required service to this new community since there are no other gas stations within the area; that the development of the Brooklyn-Queens Expressway across from the site with its attendant noises and gas fumes, further reduces the use of this site for a conforming use; that the land is high in assessed value and it is mandatory for the owner to develop this site as proposed in order for him to receive an equitable return on his investment; that the building is modern in design and will be an asset to this new development; that the irregular shape of the site lends itself to the proposal; and

WHEREAS, the applicant states that the present owner has held title to the property since September 30, 1957 and that the assessed valuation of land is \$12,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommends that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as proposed as a gasoline service station with uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received March 4, 1956", 3 sheets, *on condition*, that the plot shall be leveled substantially to the grade of the abutting street and shall be designed and arranged as indicated on such plans; that the accessory building shall be of the design and arrangement and location as proposed and without cellar and in all other respects shall comply with the requirements of the Building Code; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building lines of Brooklyn-Queens Expressway East and 30th Avenue; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that a planting area shall be maintained as proposed properly protected with concrete curbing, with suitable planting material; that signs shall be restricted to permanent signs attached to the facade of the accessory building and the illuminated globes of the pumps excluding all temporary signs and roof signs and advertising devices but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated, located where shown, advertising only the brand of gasoline on sale and permitting such sign to extend over the building line for a distance of not more

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than four feet; that curb cuts shall be restricted to three curb cuts each 30 feet in width to Brooklyn-Queens Expressway East and two of similar width, where shown, to 30th Avenue and two, where shown, to 70th Street; that the balance of the premises where not occupied by the accessory building, pumps and planting shall be paved with concrete or asphaltic pavement; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that sidewalks and curbing around the premises shall be constructed to the satisfaction of the Borough President; that under Section 7i there may be minor repairing with hand tools only for adjustment maintained solely within the accessory building; that under Section 7h, for a similar term, there may be parking and storage of motor vehicles where such parking will not interfere with the servicing of the gas station; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

124-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the maintenance of an existing ground sign, used for advertising purposes, for a temporary period of five (5) years.

PREMISES AFFECTED—271-21 Union Turnpike, north side, 73.31 feet west of Hewlett Street, Block 8555, Lot 71, Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 3

Negative: Chairman Murdock and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Union Turnpike and Hewlett Street are in a local retail use, D area, class 1 height district; 271st Street is in local retail and residence use, D and F area, class 1 height districts; that as of July 25, 1916 that part of the premises within 100 feet of Union Turnpike was in a business use district and the balance of the premises was in a residence use district; that on January 21, 1947 that part of the premises within 100 feet of Hewlett Street was changed to a local retail use district and the balance of the premises remained in a residence use district; that on July 6, 1948 that part of the premises within 100 feet of Union Turnpike was changed to a local retail use district and the balance of the premises remained in a residence use district; that the present use designation putting the entire premises in a local retail use district became effective May 13, 1954; that as of July 25, 1916 the entire premises were in a class D area district; that on January 27, 1949 that part of the premises beyond 100 feet of Union Turnpike was changed to an F area district; that the present area designation became effective May 13, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated February 10, 1958 acting on N.B. Applic. No. 70-58, reads:

"1. Proposed ground sign in a "Local Retail" use district is contrary to Article II Section 4c of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 20 feet frontage by 135.98 feet in depth, presently

developed with an advertising ground sign 12 feet high by 47 feet long, the top of which is 24 feet above the street grade; that it is proposed to maintain the present ground sign on the premises for a temporary period of five years; and

WHEREAS, the applicant contends that the sign is adjoined on the east by a diner and on the west by a one story store, which is under the same ownership; that the store acts as a buffer so that the adjoining properties to the west cannot be affected; that the land is high in assessed value and it is mandatory for the owner to put this land to some sort of use that will give him a return on his investment and help him to continue to pay city real estate taxes; that the proximity of the Nassau Line further reduces the potentiality of this property for a conforming use; and

WHEREAS, the applicant states that the present owner has held title to the property since March 8, 1954 and that the assessed valuation of land is \$5,500; that the ground sign was erected in 1956; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the billboard sign was erected without first obtaining a permit from the Department of Buildings and has been in use for some time; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of two years to permit the continuation of the billboard sign as proposed and as indicated on plans filed with this application marked "Received March 7, 1958," two sheets, and "May 7, 1958," one sheet, *on condition* that the sign shall not be enlarged and shall not be illuminated; that a certificate of occupancy shall be obtained; that at the termination of the term herein granted the sign shall be removed; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

230-58-BZ

APPLICANT—Frederick A. Ketcher, for 91 East 111th Street Realty Corp., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail use district, the erection of a one story masonry building for use as a retail store and office, and wholesale bananas and tropical products, with store front and sign within 75 feet of a residence use district.

PREMISES AFFECTED—91 East 111th Street, north side, 22 feet west of Park Avenue, Block 1617, Lots 34 and 134, Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over to September 30, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Park Avenue and Madison Avenue are in a local retail use, B area, class 1½ height district; East 111th Street and East 112th Street are in local retail and residence use, B area, class 1½ height districts; and

WHEREAS, the decision of the Borough Superintendent,

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dated April 14, 1958 acting on N.B. Applic. No. 135-57, reads:

"1. A retail store, wholesale bananas & tropical products, located in a Local Retail District and arranged for storage and ripening of bananas constitutes a manufacturing use and is therefore contrary to Art. II, PP. 4-c Zoning Resolution.

2. Store front & signs contrary to PP. 7A, Zoning Resolution."

and WHEREAS, the applicant states that the premises consist of a plot, 30.6 feet frontage by 100.11 feet in depth, presently unimproved; that it is proposed to erect a one story masonry building, with no cellar; that the facade will consist of face brick with cast stone trim; that the area will be less than 3,084 square feet; and

WHEREAS, the applicant states that the plot is in a local retail use district; that half of the plot was purchased as a tax lien by a previous owner; that the building will be used for a retail store and office, which is a permitted use, and for wholesale bananas and tropical products, with some coolers for banana ripening; that all activities of the new building will be kept inside of the building; that there will be no stacking of produce on the sidewalk; that all the tropical products will be kept in a refrigerated cooler; that as the small lots arrive they must be placed in the cooler immediately—nothing remains outside on the sidewalk; that this is primarily a jobber's service designed to insure rapid delivery and to prevent excessive spoilage; and

WHEREAS, the applicant contends that the lot is unprotected, dirty, littered with glass, junk, garbage and debris; that the abuses in the use of this lot are a continuous source of trouble for many municipal agencies, particularly the Fire, Sanitation, Health and Police Departments; that a survey of all the buildings within the affected area shows that 75% of the frontage of the buildings have business uses on the first floor; that for the past three decades, no owner or tenant has made any effort to improve the physical conditions of this property; that in this section of Manhattan, property owners desiring to build are compelled to obtain private financing, as no lending institution would even entertain an application for a mortgage; that this is just one of the contributing causes for the many tax liens in this section; that the lot is 33 feet from the noisy elevated New York Central Railroad structure and the City of New York operates the public market underneath the railroad tracks which extends from 111th Street to 116th Street; that these factors have not been conducive towards promoting the construction of any high class retail shops in this area; that the size of the lot, 30 feet by 100 feet, is too small for a parking lot; that the store and office are legal uses and only a portion of the building would be used for the jobbing activities; that as regards Objection 2, Section 7A, the adjoining building to the west is 97% within the local retail use district, and the first floor of the building is used for business; and

WHEREAS, the applicant states that the present owner has held title to the property since November 20, 1957 and that the assessed valuation of land is \$6,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of 15 years, to permit the erection and use of a one-story masonry building as proposed and indicated on plans filed with this application marked, "Received April 16, 1958," 6 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall be used as proposed; that as signs as would be permitted for a similar building when located within restricted retail

district may be maintained; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 5.00 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 30, 1958,
2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

318-35-S

APPLICANT—Herman E. Horwood, for Franklin-Greenwich Street Corp.; new owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re variation of the Labor Law as cited in an order and decision of the Commissioner of Buildings; previously granted on condition.

PREMISES AFFECTED—190-194 Franklin Street and 371-375 Greenwich Street, northeast corner, Block 187, Lot 10, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman E. Horwood.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 26, 1935, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 26, 1935, by omitting the words:

"only so long as this building is occupied as a whole by B. Fisher and Company",

and substituting:

"granted only so long as the building is occupied by a single tenant."

859-52-A—Vol. II

APPLICANT—Robert Smyth, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-15 127th Street, east side, 100 feet south of 23rd Avenue, first floor and attic, Block 4231, Lot 27, College Point, Borough of Queens.

APPEARANCES—

For Applicant: Robert Smyth and John Hronec.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 5, 1958 on Alt. Applic. 856/58 reads:

"1. Extension of frame dwelling in fire limits is contrary to Board of Standards and Appeals 859-52-A."

and

WHEREAS, the applicant states that the building is 1 story and attic, 22 feet 6 inches in height, 35 feet 6 inches front by 25 feet in depth, of class 4 construction, located on a lot 50.66 feet front by 99.9 feet in depth, in a residence use, C area, class 1 height district, erected 1952, and used and occu-

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pied since 1952 as a 1-family dwelling, pursuant to variance granted by the Board under Calendar Number 859-52-A, Volume I, permitting the construction of 1-family frame dwelling within the fire limits; and

WHEREAS, Certificate of Occupancy #Q93545 issued December 23, 1953 against N.B. Applic. 6740/52 permits the present use and occupancy as a 1-family dwelling on the 1st floor with an unfinished attic and open parking space for 1 car as accessory to the dwelling use; and

WHEREAS, the applicant states that this building is one of a group of buildings permitted to be erected as frame structures within the fire limits by Resolution adopted by the Board under Calendar 859-52-A, Volume I; and

WHEREAS, the applicant states that it is now proposed to erect a small extension to the kitchen on the 1st story and to erect a dormer on the rear of the building as indicated on plans filed with this appeal; that they will continue to occupy the building as a 1-family dwelling; that the proposed construction of the dormer and the extension will comply with the requirements of a D area district and therefore will not be in conflict with the Resolution adopted by the Board under Calendar 859-52-A, Volume I; that it is therefore requested that the Board permit the construction of the dormer and the erection of the extension so as to provide better living space for the owner and his family and to permit future bedrooms to be installed in the attic; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this building is one of several approved under Volume I and this resolution applies to one only of such buildings as stated.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 27, 1953 by adding thereto:

"that in the event the owner desires to extend the building by the construction of a one-story frame extension and a dormer in the attic story as shown on plans filed with this Appeal marked, 'Received June 5, 1958,' 1 sheet, and as acted on by the Borough Superintendent under Alt. Applic. 856/58, Objection 1, such extension may be permitted *on condition* that the resolution above cited shall be complied with in all respects where inconsistent with the requirements of this resolution and when certificate of occupancy shall be obtained."

763-53-A—Vol. II

APPLICANT—Robert A. McHugh, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re; extension of frame dwellings in fire limits.

PREMISES AFFECTED—23-23 128th Street, East side, 201 feet south of 23rd Avenue, Block 4232, Lot 24, College Point, Borough of Queens.

APPEARANCES—

For Applicant: Robert Smyth and John Hronec.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 5, 1958 on Alt. Applic. 857-58, reads:

"1. Extension of frame dwelling in fire limits is contrary to Board of Standards and Appeals 763-53-A."

and

WHEREAS, the applicant states that the building is 1 story and attic, 22 feet 6 inches in height, 35 feet 6 inches front by 25 feet in depth, of class 4 construction, erected 1953, located in a residence use, C area, class 1 height district, on a lot 54.23 feet front by 97.57 feet in depth, and used and occupied since erection as a 1 story dwelling on the 1st story with attic vacant; and

WHEREAS, the applicant states that the building now in question was erected as part of a development permitted

by the Board under Calendar 763-53-A, Volume I, to be constructed frame, for use as a 1-family dwelling within the fire limits; and

WHEREAS, Certificate of Occupancy Number Q98358 was issued September 22, 1954 against N.B. Applic. 3838-53, permitting the use of the 1st floor as a 1-family dwelling with the attic unfinished and providing for open parking space for 1 car as accessory use; and

WHEREAS, the applicant states that it is now proposed to erect a dormer on the building, to provide for future bedrooms for members of the owner's family; that the existing attic cannot be used for bedrooms due to lack of proper ventilation; and

WHEREAS, the applicant contends that the proposed dormer will conform with the requirements of the Zoning Resolution for a similar building erected in a D area district; and

WHEREAS, the applicant therefore requests that the Board grant this appeal and modify the decision of the Borough Superintendent, so as to permit the construction of the dormer as proposed and as indicated on plans filed with this appeal, so as to provide better living quarters by the addition of two future bedrooms in the attic; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this building is one of several buildings approved under Volume I and this resolution adopted this day applies to one only as stated:

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 27, 1953 by adding thereto:

"that in the event the owner desires to extend the building by the construction of a one-story frame extension and a dormer in the attic story as shown on plans filed with this Appeal marked, 'Received June 5, 1958,' 1 sheet, and as acted on by the Borough Superintendent under Alt. Applic. 857-58, Objection 1, such extension may be permitted *on condition* that the resolution above cited shall be complied with in all respects where inconsistent with the requirements of this resolution and a new certificate of occupancy shall be obtained."

925-54-A

APPLICANT—Yavner & Bregstein, for Clearview Gardens, 1st through 6th Corporations, owners.

SUBJECT—Application for consideration—restoration to calendar—re Appeal from orders of the Fire Commissioner; previously withdrawn.

PREMISES AFFECTED—160-22, 160-31 16th Avenue; 157-57, 157-58, 160-12, 160-35 and 163-66 17th Avenue; 166-30 17th Road; 168-18 18th Avenue; 199-48 19th Avenue; 199-17 and 199-50 21st Avenue; 199-19 22nd Avenue; 15-31 159th Street; 15-43, 16-16, 16-25, 17-08 and 18-11 160th Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 16-14 163rd Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 17-28 201st Street; 19-32 and 21-36 202nd Street; 17-29 Utopia Parkway; 163-06, 163-45 and 164-28 Willets Point Boulevard and 158-14 and 160-32 Cross Island Boulevard; Block 4742, Lot 22, Block 4743, Lot 1, Block 4744, Lot 28, Block 4746, Lot 35, Block 4747, Lot 38, Block 4754, Lot 1, Block 4756, Lot 1, Block 4758, Lot 10, Block 4767, Lot 1, Block 5730, Lot 1, Block 5740, Lot 139, Block 5750, Lot 6, Blocks 5778, 5781, 5784 and 5787, Lots 1, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Janice Rosen.

ACTION OF BOARD—Appeal reopened and restored to the docket upon request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

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594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: H. E. Horwood.

ACTION OF BOARD—Laid over to October 15, 1958, at 2 P. M. for inspection and decision; hearing closed.

361-58-A

APPLICANT—Mastro Plastics Corp., owner.

SUBJECT—Appeal from a decision of the Fire Commissioner re packaging of Tri-Bond Wall Tile Mastic in 1 quart aluminum-lined cardboard containers, not in conformity with Administrative Code requirements.

APPEARANCES—

For Applicant: Charles A. McGinnis and Harold Perrine.

ACTION OF BOARD—Laid over pending hearing on Calendar No. 266-58-SM, to be placed on the calendar on the same date.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug, Vincent Todaro, Alfred Garto and Anthony Garto.

For Opposition: John G. Ward.

ACTION OF BOARD—Laid over to October 15, 1958, at 2 P. M. for inspection and decision; hearing closed.

608-46-BZ

APPLICANT—Mandel M. Einhorn, for Edith and Sarah Himmelbaum, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired August 7, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the change in occupancy from blacksmith shop to factory, manufacturing and renewing of Bristlex Brushes.

PREMISES AFFECTED—227-231 Miller Avenue, east side, 100 feet north of Liberty Avenue, Block 3961, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Mandel M. Einhorn and Max Himmelbaum.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 25, 1947, on certain conditions; and

WHEREAS, the resolution was amended on May 18, 1948; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on January 5, 1954; and

WHEREAS, the term of variance was extended from time to time and last extended on April 8, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 25, 1947, as thereafter amended by resolutions adopted through April 8, 1958 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution.” (Alt. App. 19-46.)

831-48-BZ

APPLICANT—Manning, Hollinger & Shea, for Beatrice, Robert, Francis and John Goelet, owners.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the parking and storage of more than 5 motor vehicles.

PREMISES AFFECTED—1240-1254 Broadway, east side, from West 31st to West 32nd Streets; 43-49 West 31st Street and 42-52 West 32nd Street, Block 833, Lots 11, 15, 17 and 67, Borough of Manhattan.

APPEARANCES—

For Applicant: Louis Schack.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 19, 1948, on certain conditions; and

WHEREAS, the resolution was amended on April 12, 1949; and

WHEREAS, the term of variance was extended on November 17, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standard and Appeals does hereby amend the resolution adopted on November 19, 1948 as thereafter amended by resolutions adopted through November 17, 1953, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

“... granted under Section 7, Subdivision h for a term of five (5) years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” N. B. App. 158/48.

902-49-BZ—Vol. II

APPLICANT—Burke, Green and Groh, for Charles E. Hultgren, owner; Homeyer Brothers, lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 23, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in the residential portion of the plot, the extension of the business use for the storage of cars and the sale of new and used motor vehicles.

PREMISES AFFECTED—219-01 Merrick Boulevard, north side, 229.48 feet east of 218th Street, Block 12958, Lot 67, Laurelton, Borough of Queens.

APPEARANCES—

For Applicant: John J. Howley.

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ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on July 23, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 23, 1957, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that in view of the statement by the applicant the work has been substantially completed, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution.” (Alt. App. 23/56.)

836-56-BZ

APPLICANT—Charles A. Buckley, Jr., for Raftes Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 10, 1958 and for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7h and 7i of the Zoning Resolution, permitting in a business and residence use district, the erection and maintenance of a gasoline and oil selling station, lubritorium, car wash, minor repairs, office, sales room, parking of more than 5 motor vehicles.

PREMISES AFFECTED—711-723 Nereid Avenue and 4401-4413 Furman Avenue, northwest corner, Block 5070, Lots 49-52, inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice Schulkind.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 10, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time to complete.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on September 10, 1957, by adding thereto:

“that in the event the owner desires to locate the accessory building on the westerly side of the premises as against the former location on the northerly side and to change the number of pumps and location of pumps, such changes may be permitted provided the pumps, as proposed, are not less than fifteen feet back from the building line as shown on plans filed with this request for amendment marked “Received August 13, 1958”, two sheets; that in all other respects the requirements of the resolution above cited shall be complied with; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (NB App 1920/56)

696-24-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Singer & Carlton, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, de-

cision of the Borough Superintendent; previously granted on condition, permitting in a residence district extending from an unrestricted district, the erection and maintenance of a garage for the storage of more than 5 motor vehicles.

PREMISES AFFECTED—1317-1327 36th Street, northeast corner of Louisa Street, Block 5312, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

1079-25-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Madeline Scime, doing business as Mels Automatic Transmission Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a business district, the erection and maintenance of a garage for the storage of more than 5 motor vehicles and gasoline service station.

PREMISES AFFECTED—915-925 65th Street, north side, 90 feet west of Ft. Hamilton Parkway, Block 5743, Lot 31, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

54-36-BZ—Vol. II

APPLICANT—Samuel Miller, for Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Commissioner of Buildings; previously granted on condition, under sections 7a and 21 of the Zoning Resolution, permitting partly in a business use district and partly in a residence use district the maintenance of a gasoline service station.

PREMISES AFFECTED—525 Gravesend Neck Road (517-631 Gravesend Neck Road) northwest corner of Ocean Parkway, Block 7157, Lot 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Joseph Lynch.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

256-45-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Angelo, Sebastiano and Guiseppe Rodolico and Vincenzo Bongiorno, owners. Aluminum Fabricators, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete and to obtain a Certificate of Occupancy—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail and residence use district, the change in use from garage for more than five motor vehicles, to manufac-

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turing and storage of aluminum building products for a term of 10 years, office, garage, auto painting and body and fender repairs previously granted having expired.

PREMISES AFFECTED—1736 Pacific Street, south side, 75 feet west of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and set for hearing on October 28, 1958, at 10 A.M., waiving all requirement except two publications in the Bulletin as notice and a new decision of the Borough Superintendent.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

1070-47-BZ

APPLICANT—Skyline Collision, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired March 19, 1951—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from auto body painting to auto body painting, body and fender repair work and welding and spraying.

PREMISES AFFECTED—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Marczyvski.

ACTION OF BOARD—Application reopened and set for hearing on October 28, 1958, at 10 A.M., waiving all requirements except two notices in the Bulletin as notice and a new decision of the Borough Superintendent which has been filed.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application for consideration—restoration to docket for new hearing—re Application, decision of the Borough Superintendent; previously denied, under sections 7e and 7h of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing (non-automatic) motor vehicle repairs, sale of accessories, office and parking of more than 5 motor vehicles awaiting service, for a stated term of 15 years.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 95, South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Gilbert Lazarus.

ACTION OF BOARD—Application reopened and restored to the calendar for additional hearing as required in the resettled order of the Court and set for hearing on October 28, 1958, at 10 A.M., subject to the regular procedure waiving all requirements except notice of hearing to be sent out by regular mail based on a list of owners corrected to date.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

657-49-BZ

APPLICANT—Max Horn, for Ruth Harris, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e, 7f and 7i of the Zoning Resolution, permitting in a residence and business use district, the extension of existing garage and to permit the maintenance of a motor vehicle repair shop and the washing of cars.

PREMISES AFFECTED—92-02 to 92-08 Rockaway Beach Boulevard, northwest corner of Beach 92nd Street, Block 578, Lot 16, Rockway Beach, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for amendment withdrawn at the request of applicant.

842-57-BZ

APPLICANT—Michael Alfano, for Filippo Aprea, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e and 7h of the Zoning Resolution, permitting in a residence use district, the erection of a one story building for use as a retail store and use of the unbuilt upon portion for the parking of more than 5 motor vehicles for patrons only for a term of 15 years.

PREMISES AFFECTED—901-905 East 213th Street and 3600-3604 Bronxwood Avenue, northeast corner, Block 4684, Lot 32, Borough of The Bronx.

APPEARANCES—

For Applicant: Frank Damiano.

ACTION OF BOARD—Application withdrawn at the request of applicant to file new application as Vol. II.

309-46-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application reopening and amendment of resolution as to additional trade names—re Wayne Oil Burner, Model O; previously approved.

APPEARANCES—

For Applicant: J. J. Thurston.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper.... 4
Negative 0
Absent: Commissioner Foley..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 309-46-SA

Subject: Amendment to resolution as to additional trade names.

Wayne Home Equipment Company, Fort Wayne, Indiana requested by letter dated April 14, 1958 that the resolution adopted July 9, 1946 and amended through June 25, 1957 under Calendar Number 309-46-SA be amended so as to permit the approved oil burner to be marketed under additional trade names.

Recommendation

The Committee on Test recommends that the resolution adopted July 9, 1946 and amended through July 17, 1956 under Calendar Number 309-46-SA be reopened and amended so as to permit the approved Wayne Oil Burner, Model E to be marketed by the General Electric Company under the

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trade name of General Electric Oil Burner, Model O on condition that the requirements of the resolution adopted July 9, 1946 and amended through June 25, 1957 under Calendar Number 309-46-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of July 9, 1946 through June 25, 1957 in accordance with the above report.

69-52-SA

APPLICANT—Monitor Equipment Corp., owner.
SUBJECT—Monitor Prestomat Washer, Model MP, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

88-52-SM

APPLICANT—G. D. Hugue, owner.
SUBJECT—Application January 31, 1952—One Minute Waxine Roll Band and Ring Gaskets for Closet Bowl, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

93-52-SM

APPLICANT—Pex Inc., owner.
SUBJECT—Application February 5, 1952—Pex Foam-adaptor, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

124-52-SM

APPLICANT—Sant and Russell Sales Co., Agent for Fir-Tex Insulating Board Co., owner.
SUBJECT—Application January 3, 1952—Fir-Tex Acoustical Tile, ½" and ¾" and 1" thickness, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

132-52-SM

APPLICANT—Acme Steel Co., owner.

SUBJECT—Application February 14, 1952—Acme Steel Floor Plate, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

155-52-SM

APPLICANT—National Gypsum Co., owner.
SUBJECT—Application February 21, 1952—Gold Bond Perforated Asbestos Zerocel Wool (acoustical system), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

183-52-SM

APPLICANT—Marie Nichols Fabrics, owner.
SUBJECT—Marie Nichols 100% Dynel Yarn, Acrylic Fabric, approval of, Type 100.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

184-52-SA

APPLICANT—Thor Corporation, owner (E. B. Latham & Co., Agent.)
SUBJECT—Application February 8, 1952—Thor Automatic Clothes Washer, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

227-52-SM

APPLICANT—Clifford Holden, owner.
SUBJECT—Application March 31, 1952—Kant Burn Flameproofing Compound, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

241-52-SM

APPLICANT—Acme Rubber and Chemical Co., owner.
SUBJECT—Application April 1, 1952—Expansite 101, caulking and sealing compound, approval of.

APPEARANCES—

For Applicant: None.

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ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

242-52-SM

APPLICANT—Acme Rubber and Chemical Co., owner.
SUBJECT—Expansite 101-29A Expansion Joint Filler, ap-
proval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

279-52-SA

APPLICANT—F. C. Holbrook, for Incinerators, Inc.,
owner.

SUBJECT—Application March 5, 1952—Incinerators Inc.,
Refuse Incinerator, Model M.R.3, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

294-52-SM

APPLICANT—Robert P. Levine, for National Brick Corp.,
owner.

SUBJECT—Application April 23, 1953—Nabcor Steam
Cured Sand-Grit Concrete Units, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

306-52-SM

APPLICANT—Sprayed Insulation, Inc., owner.

SUBJECT—Application April 18, 1953—Spraycraft 531
and Spraycraft Firetest Fibre 531R, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

307-52-SM

APPLICANT—Sprayed Insulation, Inc., owner.

SUBJECT—Application April 18, 1953—SprayCraft 531
and SprayCraft 531R applied direct to steel by spraygun
to Robertson Q. Floor, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

340-52-SA

APPLICANT—Surface Combustion Corp., owner.

SUBJECT—Application May 9, 1952—TAS-05 Janitrol
Gravity Type floor furnace, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

350-52-SA

APPLICANT—Turbo Machine Co., owner Kenro Distrib-
utors, Agent.

SUBJECT—Application May 7, 1953—Kenro, Ice Cream
Bar Vending Machine, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

358-52-SA

APPLICANT—National Airoil Burner Co., owner-manu-
facturer, Adams Coal Co., agent.

SUBJECT—Application May 7, 1952—re National Airoil
Rotary Oil Burners, Models D (direct-driven) and Model
B (Belt-driven), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

373-52-SA

APPLICANT—N. A. Arvins, for Arvins Viscolator Corp.,
owner.

SUBJECT—Application May 21, 1953—Arvins Viscolator,
Model 2U (6 qt.) and Model 1U (1 qt.), preheater for
paints, etc., approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

385-52-SM

APPLICANT—Firestone Plastics Co., owner.

SUBJECT—Application May 26, 1952—Firestone Plastics
Co., Velon Monofilament, AI Series, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

394-52-SA

APPLICANT—Carrier Corp., owner.

SUBJECT—Application March 25, 1952—Cooler, Model 10T, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

405-52-SM

APPLICANT—Hartford Incinerator Div., of Nash, Cadmus and Voelker, Inc., owner.

SUBJECT—Application May 29, 1952—Nash Cadmus and Voelker, Inc., Hopper Door, Model 70-115, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

441-52-SA

APPLICANT—Duo-Therm Division of Motor Wheel Corp., owner.

SUBJECT—Application June 2, 1952—Duo-Therm Floor Furnaces (gas-fired), Models 201-0 through 201-09; 202-0 through 202-09; 241-0 through 241-09 and 242-0 through 242-09; approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

442-52-SM

APPLICANT—Fox Brothers Manufacturing Co., owner.

SUBJECT—Application June 3, 1952—Foxwood Kaylo Core Partition, non-load bearing subdividing partition, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

443-52-SA

APPLICANT—Guy Obolensky, for Aperion Laboratories, owner, State Elevator Co., Agent.

SUBJECT—Application May 27, 1953—Aperion Open Circuit Cutout, Model 1, Elevator Protective Device, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

460-52-SM

APPLICANT—R. S. Stokvis and Sons, Inc., Agent for Twello Steengas Holland, owner.

SUBJECT—Application November 14, 1952—Bricanion (made in Holland), reinforced base for plastering, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

486-52-SA

APPLICANT—Atlas Tool and Manufacturing Co., owner.

SUBJECT—Application June 23, 1952—Colsnac Ice Cream Vending Machine, Model AC-200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

503-52-SA

APPLICANT—Hopewell Products Inc., owner.

SUBJECT—Application July 1, 1954—Webasto Diesel Oil Heater, Model 65, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

504-52-SA

APPLICANT—Charles M. Spindler, for Standard Laundry and Cleaning Machinery Co., owner.

SUBJECT—Standard Dry Cleaning Machinery Model D Washer, also Standard Tumbler, Extractor and Filter, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

512-52-SM

APPLICANT—Preco Chemical Corp., owner.

SUBJECT—Preco Foundation Plastic, foundation plastic coating, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

513-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1953—Preco Plasterbond,
dampproof coating for above grade interior, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

514-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Semi-Mastic
Fibrated Coating, waterproofing above and below grade,
approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

515-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Silipruf, water
repellent for exterior masonry of all types, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

516-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Dustproofing
and Hardener Crystals (after-treatment for concrete
floors), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack
of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

517-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Steronium
Paste (admixture to concrete), approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0
Absent: Vice Chairman Keating..... 1

518-52-SM

APPLICANT—Preco Chemical Corporation, owner.
SUBJECT—Application June 2, 1952—Preco Calrok Inte-
gral Hardener and Accelerator (accelerator for con-
crete), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

519-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Air Entrain-
ing Admixture, agent for mass concrete or cement mor-
tars, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

520-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Asbestos and
Asphalt Roof Coating—three star, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

521-52-SM

APPLICANT—Preco Chemical Corp., owner.
SUBJECT—Application June 2, 1952—Preco Roofing Plas-
tic (roof coating), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

612-52-SM

APPLICANT—Solvay Process Division of Allied Chemi-
cal and Dye Corporation, owner.
SUBJECT—Application August 5, 1952—Solvay 77-80%
Flake Calcium Chloride, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

MINUTES

619-52-SM

APPLICANT—Safescape Division of PTI Inc., owner.
SUBJECT—Application July 24, 1952—Safescape Portable Fire Escape, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

648-52-SM

APPLICANT—R. Guastavino Co., owner.
SUBJECT—Application August 13, 1952—Akoustolith, for interior walls and ceilings, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

675-52-SM

APPLICANT—William R. Ridgley & Company, owner.
Diamond Coal Company, DeBiase Brothers, Agent.
SUBJECT—Application September 15, 1952—William R. Ridgley & Co., Cinder and Concrete Blocks, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

676-52-SM

APPLICANT—Keystone Concrete Block & Supply Company, owner.
SUBJECT—Application September 18, 1952—Keystone Concrete Block and Supply Company, Cinder Block (masonry units), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

677-52-SM

APPLICANT—George H. Miles, Barrington LeB. Musgrave, for Miracle Adhesives Corp., owner.
SUBJECT—Application September 10, 1952—Miracle Adhesive and underlayment, for installation of ceramic tile floors, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

679-52-SA

APPLICANT—Coen Co., owner.
SUBJECT—Application September 18, 1952—Coen Co., Fuel Oil Preheater (electric), Series D, Multifilm Direct Electric, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

695-52-SA

APPLICANT—Finnell System, Inc., owner.
SUBJECT—Application September 24, 1952—Finnell Combination Scrubber-Vac Machine (floor scrubber—gas fired), Model 218G, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

726-52-SM

APPLICANT—Sedgwick Machine Works, Inc., owner.
SUBJECT—Application October 9, 1952—Sedgwick Stair-Travelor, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

731-52-SM

APPLICANT—Wall Trends Inc., Agent for Hellemann's, owner.
SUBJECT—Application October 7, 1952—Linkrusta (wall covering), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

767-52-SM

APPLICANT—Badger Sales Corp., agent, for Telsco Fittings Division, owner-manufacturer.
SUBJECT—Application October 28, 1952—Telsco Threadless Malleable Iron Fittings, Models 300, 301, 307, 308, 311R, 312R, 311, 312, 323 and 325, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

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768-52-SM

APPLICANT—Great Stone Corporation, owner.
SUBJECT—Application October 27, 1952—Great Stone Exterior Stone Facing, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

804-52-SM

APPLICANT—Gesty Trading and Manufacturing Co., agent and importer.

SUBJECT—Application November 12, 1952—KIK Door Interviewer with wide field of vision, in plastic, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

805-52-SM

APPLICANT—W. J. Banta, agent, for Dry Clime Lamp Corp., owner-manufacturer.

SUBJECT—Application November 14, 1952—Dry Clime Lamp Corp. Infra-red Dry Quick Baking Panel, Model 16, to dry and bake finishes in automotive paint shops, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

810-52-SM

APPLICANT—Max D. Gruber, for J. A. Wilson Lighting and Display Inc., owner.

SUBJECT—Application November 17, 1952—Luve-Tile, Models 4050, 4051A, 4051B, 4055, 4054, 4052 and 4053, light diffusing type of plastic fixture, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

836-52-SA

APPLICANT—Typhoon Air Conditioning Co., Inc., owner.
SUBJECT—Application November 18, 1952—Typhoon Summer-Winter Air Conditioning Unit—Model 5SW 140 and 3 SW 140, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

913-52-SA

APPLICANT—The Welch Grape Juice Co., Inc., owner.
SUBJECT—Application December 24, 1952—Welch Coin Operated Cup Vending Machine, Model 51, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 7, 1958, at 2 P.M.; no appearance for applicant.

Adjourned: 6:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

52.05
EW 287

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

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2770 and 3020-3024.

Address all communications to the Chairman

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COURT DECISION

Matter of Cavally vs. Murdock:—On March 25, 1958 the Board,
under calendar number 145-47-BZ Volume III, granted a zoning vari-
ance, under section 7e for a term of five years, to permit in a residence
use district addition of an adjoining building to an existing bakery as
an extension of a retail and wholesale use, premises 17-19 Cornelia
Street, north side, 191 feet, 1 inch west of West 4th Street, Block
590, Lots 39 and 40, Borough of Manhattan.

At Supreme Court Special Term Mr. Justice Gavagan affirmed the
Board's decision as follows:

Cavally v. Murdock—Respondents move for an order vacating the
order of certiorari, to dismiss the petition and to affirm the determina-
tion under review. The intervenor-respondent moves for an order dis-
missing the petition, modifying the determination by eliminating
therefrom the limitation as to duration or by substituting a limitation
of a period of not less than twenty-five years and for affirmance of
the determination as thus modified. The orders under review permit a
variance of use in a street running one block and in which non-
conforming use exists to a substantial extent. One of the two build-
ings involved is likewise put to non-conforming use. The record dis-
closes ample ground to support the exercise of discretion and it should
not be disturbed. The motions are granted save for that portion of
the motion of the intervenor-respondent which requests a modification
of the order. A request for such modification is the subject of an
application now pending before the respondents. Processing thereof
has been suspended pending determination of these applications. This
determination is without prejudice thereto. Settle order.

Cavally v. Murdock—The motion of the respondent-intervenor is
disposed of in accordance with the disposition of companion motion
No. 316 published simultaneously herewith. (N. Y. Law Journal,
September 30, 1958, page 7.)

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held at 80 Lafayette Street, Borough of
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SM, 827-53-SA, 863-53-SM, 872-53-SM, 901-53-SA,
356-49-SA—Vol. I, 924-53-SA, 935-53-SM, 937-53-SM—
Vol. II and 335-53-SA.

Fire Drill Rules.

Rule to Supplement 19-A of the Zoning Resolutions.

CALENDAR

DOCKET

New cases filed up to October 7, 1958

Cal. No. Dept. Premises Affected

563-58-BZ—B.M.—341-349 East 34th Street, north side, 110 feet west of 1st Avenue, Block 940, Lots 24, 25, 26, 27 and 28, Borough of Manhattan, Amendment to Alt. 674-58—parking lot, etc.—residence use district.

564-58-A—B.Q.—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens, N.B. 576-58—under section 35, General City Law re premises partly in bed of mapped street—proposed widening of Bell Boulevard.

565-58-SA—Kidde Industrial Smoke Detector, Model L-4901, Type G, for smoke detection in ventilating systems, manufactured by Walter Kidde and Co., Inc., Appliance.

566-58-A—B.Q.—53-24 241st Street, west side, 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens, NB 71-58—under section 35, General City Law re proposed building in bed of a mapped street—proposed 54th Road.

567-58-SA—Tar Kettle Torch, Model 1 A.R., manufactured by All-Boro Gas Co., Inc., Appliance.

568-58-SM—Tube Turns Plastics Inc., Unplasticized Polyvinyl Chloride Chemical Drainage Fittings, manufactured by Tube Turns Plastics, Inc., Material.

569-58-A—B.M.—16 East 18th Street, south side, 175 feet, 5 inches west of Broadway, Block 846, Lot 65, Borough of Manhattan, Alt. 1159-58—egress.

570-58-BZ—B.B.—5601-5611 Avenue U and 2063-2083 East 56th Street, northeast corner, Block 8399, Lot 6, Borough of Brooklyn, NB 1464-58—gasoline service station, lubricatorium, minor auto repairs, car wash, storage room, etc. and parking and storage of motor vehicles—residence use district.

571-58-BZ—B.Q.—138-17 Hillside Avenue and 139-68 to 139-78 Queens Boulevard, northwest corner, Block 9625, Lot 54, Jamaica, Borough of Queens, NB 2484-58—gasoline service station, repairs, car washing, office, parking of cars and ground sign, etc.—business use district.

572-58-BZ—B.B.—2472-2484 Knapp Street and 3111-3121 Avenue Y, northwest corner, Block 7429, part of Lot 16, Borough of Brooklyn, Amendment to NB 799-58—gasoline service station, auto accessories, etc. and parking and storage and show windows, curb cuts, etc.—retail use district.

573-58-BZ—B.Q.—158-06 Northern Boulevard and 40-02 158th Street, southeast corner, Block 5277, Lot 16, Flushing, Borough of Queens, Amendment to Alt. 1692-58—extension of parking for employees and patrons—local retail and residence use districts.

574-58-BZ—B.B.—1242-1264 Liberty Avenue, south side, from Drew Avenue to Ruby Street, 491-503 Drew Avenue and 10502 to 10508 Ruby Street, Block 4207, Lots 15, 16, 21 and 25, Borough of Brooklyn, NB 1703-58—business use—proposed commercial structure—residence and business use districts.

575-58-SA—Aldryer or Tumblette Gas-fired Commercial Clothes Dryer, Models 37M30 and 37S30, manufactured by Cook Machinery Co., Inc., Appliance.

576-58-SM—St. Regis Panelyte, decorative surfacing for counters, furniture and walls, Models NEMA Standard LP-2-1.01, Types I, II, III and IV, manufactured by St. Regis Paper Co., Panelyte Division, Material.

577-58-BZ—B.Bx.—1935 Boston Road, west side, 226.47 feet northeast of Bryant Avenue and 1936 Bryant Avenue, Block 3005, Lots 72, 75, 87 and 89, Borough of The Bronx, Alt. 361-58—proposed parking of motor vehicles—residence and business use districts.

578-58-BZ—B.Bx.—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx, NB 940-58—gasoline service station, lubricatorium, auto laundry, minor repairs, and parking of motor vehicles awaiting service, etc.—retail use district.

579-58-BZ—B.B.—264-268 Bay Ridge Avenue, south side, 124 feet, 10 $\frac{7}{8}$ inches west of 3rd Avenue, Block 5871, Lot 40, Borough of Brooklyn, Alt. 2930-57—loading and unloading in conjunction with junk shop—manufacturing and residence use districts.

Restored to Docket

283-58-A—Vol. II—B.M.—128-132 Water Street and 79-83 Pine Street, southwest corner, and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan, B.N. 3760-57—re legal hood and chimney for range.

80-57-A—Vol. II—B.Q.—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens, Alt. 1152-56—re use of frame buildings as storage within fire limits.

814-50-SM—Natco Tex Dri-Wall Tile, manufactured by Natco Corporation; reopened for test and report as to extension of use.

815-50-SM—Natco Modular Dir-Speedwall Tile, manufactured by Natco Corporation; reopened for test and report as to extension of use.

502-53-SM—Spraybest and/or Spraycraft Retardent Steel Floor and Beam, manufactured by Smith and Kanzler Spraybest, Inc.; reopened for test and report as to 3 hour rating.

545-44-BZ—Vol. III—B.M.—410-416 East 54th Street, south side, 194 feet east of 1st Avenue and 415-423 East 53rd Street, Block 1365, Lot 9, Borough of Manhattan, Alt. 1030-58—re penthouse to be used for offices and showrooms on an existing commercial building—residence use district.

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325-52-BZ—Vol. II—B.Q.—125 Beach 135th Street, west side, 712.22 feet south of Rockaway Beach Boulevard and 126 Beach 136th Street, Block 775, Lot 43 (formerly Lots 43 and 61), Belle Harbor, Borough of Queens, Alt. 670-58 & Alt. 671-58—re rear yard, etc.; area excessive—residence use district.

659-50-BZ—Vol. IV—B.Q.—251-61 Jamaica Avenue, north side, 200.88 feet west of Little Neck Parkway, Block 8668, Lot 118, Bellerose, Borough of Queens, Amendment to N.B. 907-58—re erection of a building to include warehouse for storage of doors, sash & wood products as an accessory to a lumber yard—business use district.

35-52-BZ—Vol. II—B.Q.—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens, N.B. 1924-58—re bowling alleys, restaurant, bar, lounge, parking of patrons' cars; rear yard; area excessive—residence use district.

178-57-BZ—Vol. II—B.Q.—158-11 101st Street, southwest corner of 158th Avenue, Block 14170, Lot 1, Howard Beach, Borough of Queens, Alt. 1315-58—re extension to the school structure to a height in excess of that permitted, etc.—residence use district.

962-28-BZ—Vol. II—B.B.—714 Jamaica Avenue, southwest corner of Richmond Street, Block 4102, Lot 27, Borough of Brooklyn, Alt. 1505-58—re change of occupancy to gasoline service station, office, grease pits, auto laundry, sales of accessories, minor auto repairs, parking and storage, etc.—business and residence use district.

326-53-BZ—Vol. II—B.Bx.—1975 White Plains Road and 653 Sagamore Street, northwest corner and 1980 Birchall Avenue, Block 4256, Lots 42, 43, 44, 45, 46 and 51, Borough of The Bronx, Alt. 653-58—re extension of the plot for use as gasoline and oil selling station, washing, lubrication, etc.—business use district.

1089-24-BZ—Vol. II—B.M.—529-533 West 134th Street, north side, 90 feet, west of Broadway and 532 West 135th Street, Block 1988, Lots 60 and 6, Borough of Manhattan, Alt. 1061-58—re garage for more than 5 cars and store, etc.—business and residence use district.

551-57-BZ—Vol. II—B.B.—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn, N.B. 1295-58—re construction of building to be used as banking room, lunch room and lounge, parking on open spaces for patrons and employees—residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

	Last Publication
Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)...	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of	Jan. 8, 1957.
Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Apr. 22, 1952—Vol. 37, No. 17
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 25, 1952—Vol. 37, No. 13A
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 11, 1947—Vol. 32, No. 6
Oil Burner Rules	Nov. 20, 1956.
Opening Protective Assemblies, Rules for Inspection of	May 27, 1954.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Sept. 3, 1946—Vol. 31, No. 36

Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.
Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories, Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

OCTOBER 15, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, October 15, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

967-57-BZ
APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.
SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard,

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southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.
Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector.

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958—as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend

the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

122-58-BZ

APPLICANT—Herman Horowitz, for Berno Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoroso, owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7f and 7i of the Zoning Resolution, to permit

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in a retail use district, after demolition of the existing structures, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor motor vehicle repairs with hand tools only, office, parking and storage of motor vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06 Linden Place, southwest corner, Block 4959, Lots 18 and 20, Flushing, Borough of Queens.

Laid over from September 23, 1958, to October 15, 1958, for inspection and decision; hearing closed.

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Naneld Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

77-58-BZ

APPLICANT—Hady H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use "C" area district in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use of the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and

495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.
SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed.

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c, 7a and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

Laid over from July 15, 1958, to July 22, 1958, for hearing; then to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant for additional hearing; no further notices will be sent out; then to October 15, 1958, for inspection and decision; applicant and objector to furnish evidence of ownership of premises.

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

Laid over from January 7, 1958 to February 11, 1958, for hearing at the request of the Board of Education, as proposed school site in area has not been determined; then to February 25, 1958, for applicant to file plan and further information as to school site; then laid over for inspection

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and decision; hearing closed; date for decision to be set; then set for September 30, 1958; then to October 15, 1958, for further inspection in view of the change of location of the school and for decision.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re (decision of the borough superintendent) under sections 7e and 7h of the zoning resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner boulevard, southwest corner of White Plains road, Block 3671, Lots 50 and 60, Borough of The Bronx.

Laid over from July 15, 1958 to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration; then to October 15, 1958, for further inspection and decision.

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-3/4 inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant; then to October 15, 1958, at request of the applicant, to submit statement of the Borough President as to possible acquisition of property in area.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

Laid over from June 25, 1957, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, for further consideration and decision.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner; Research Animals Inc., under contract to purchase.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under sections 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office,

breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, to permit inspection of site of present operations and in Manhattan No. 252 West 69th Street, for inspection and decision.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only; then to October 7, 1958, decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 15, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, October 15, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

CALENDAR

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

111-56-A—Vol. II

APPLICANT—Godfrey L. Hansen, for Neptune Meter Company, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Fire Commissioner re: smoking permits for certain office areas in factory building.

PREMISES AFFECTED—47-25 34th Street, northeast corner of 48th Avenue, Block 250, Lot 1, Long Island City, Borough of Queens.

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

217-58-A

APPLICANT—Dana Development Corp., owner.

SUBJECT—Application April 10, 1958—Appeal from an order and a decision of the Fire Commissioner re Certificate of Fitness.

PREMISES AFFECTED—201-02 to 201-14 Rocky Hill Road, south side, from 201st to 203rd Streets, Block 7353, Lot 101, Bayside, Borough of Queens.

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commissioner re use of Beltran Drying Oven.

PREMISES AFFECTED—62-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

972-57-A

APPLICANT—Wynn Oil Company, owner.

SUBJECT—Application December 26, 1957—Appeal from a decision of the Fire Commissioner re Packaging of Inflammable Mixture known as "Wynn's Friction Proofing Motor Cleaner" in 1 Quart Sealed Containers in New York City; containers not in accordance with Administrative Code requirements.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 21, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, October 21, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor on an existing masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175-12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 and 89-58—239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Borough of Queens.

364-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Jeanne S. DiLoreto, owner.

SUBJECT—Application June 6, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, D area district, the erection of a one story extension occupying more than the permitted area.

PREMISES AFFECTED—80-21 to 80-23 164th Street, east side, 60.43 feet north of 81st Avenue, Block 7014, Lot 26, Flushing, Borough of Queens.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

CALENDAR

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling that exceeds the permitted area coverage, exceeds the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

Hearing continued from October 7, 1958, to October 21, 1958, applicant to file corrected plans and record of permits in the Building Department.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor. Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Krantzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, "C" and "D" area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

Postponed from September 17, 1958, to September 30, 1958, at request of objector; then to October 21, 1958, for inspection and decision; hearing closed.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

CALENDAR

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area; then to October 21, 1958, for applicant to send out notices by regular mail and for inspection.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and show rooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

153-58-A

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—Appeal from a decision of the Borough Superintendent, re winders in required stairway.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street,

northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

245-58-A

APPLICANT—Lama, Proskauer and Prober, for Edward and Leonard Sessa, owners.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re change from theatre to catering, requires removal of marquee.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

164-58-A

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—Appeal from a decision of the Borough Superintendent re cellar occupancy as Laboratory-Frame Building.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

CALENDAR

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.
SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; applicant to file additional plan showing school and playground entrances and exits on all streets; and for the Board of Education to report as to conditions of the school after hours and information as to the number of children from kindergarten to sixth grade; hearing closed.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park Lane South, Block 8890, Lot 1, Glendale, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an eleemosynary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side,

125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 21, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, October 21, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

108-57-SM

APPLICANT—J. J. Helff, for Perfect Seal Manufacturing Company, owner.

SUBJECT—Application February 4, 1957—Perfect Seal Acoustical Tile, approval of.

402-57-SA.

APPLICANT—Heil-Quaker Corporation, owner.

SUBJECT—Application May 6, 1957—Heil Gas-fired Conversion Burners, Models GCB-1A, GCB-1, GCB-2, GCB-3 also to be marketed by Sears, Roebuck & Co. as Homart Gas-fired Conversion Burner, Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112, approval of.

505-57-SA

APPLICANT—Edwards Engineering Corp., owner.

SUBJECT—Application June 12, 1957—Spi-Rol-Fin Gold Crown Gas-Fired Hot Water Boiler, Models 600G and 750G, approval of.

653-57-SM

APPLICANT—Owens-Illinois Plywood Company, owner.

SUBJECT—Application August 8, 1957—Owens-Illinois Fire Door, approval of.

744-57-SM

APPLICANT—Farr Company, owner.

SUBJECT—Application September 26, 1957—Far-Air Grease Eliminators—for ventilation hoods in commercial kitchens, approval of.

841-57-SA

APPLICANT—John Gabel, for Wilmot Castle Company, owner.

SUBJECT—Application November 4, 1957—Imperial Bed Pan Washer, Models 1, 2 and 3, approval of.

1038-57-SA

APPLICANT—Liberty Combustion Corporation, owner.

SUBJECT—Application November 29, 1957—Liberty Inshot Conversion Gas Burner, Models LIB150SB, LIB150LC, LIB150SC, LIB150LB, LIB200SC, LIB200SB, LIB225LC and LIB200LB, approval of.

411-58-SM

APPLICANT—Time Saving Fills, Inc., owner.

SUBJECT—Application June 30, 1958—Speed-Kleen Fills, Models 2200, 2200M45, 2200F45 and 3200, approval of.

490-58-SA

APPLICANT—Janitrol Division, Surface Combustion Corp., owner.

SUBJECT—Application August 18, 1958—Janitrol Oil-fired Conditioners, Series OFLS, OFVS, OFDS, and OFHS, approval of.

115-32-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional model "K" oil burner—re Wayne Oil Burner, Model OM and G; previously approved.

CALENDAR

800-39-SM—Vol. IV

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Application reopened July 15, 1958 for amendment of resolution as to additional uses of USG Audicote for fireproofing cellular steel floors and beams—re USG Red Top Cement Plaster, fibered, unfibered, extra fibered; USG Red Top No. 1 Moulding Plaster; USG Red Top Special Cement Plaster; USG Structo-Base Plaster, Structo-Gauge Plaster, Structo-Trowel Plaster; USG Sabinite M, USG Sabinite Float Finish and USG Sabinite Trowel Finish, USG Structural Base Coat, USG Structural Gauging Plaster and USG Structocal Trowel Finish Plaster, USG Perfortable Sabinite; previously approved.

1016-39-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional trade name—re Gold Bond Acoustamatic Tile, Gold Bond Insulation Tile and Gold Bond Insulation Plank; previously approved.

91-40-SA—Vols. I, II, III, IV, V.

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Purox Welding Blowpipes, Prest-O-Weld Welding Blowpipes, Prest-O-Weld Cutting Blowpipe; previously approved.

448-40-SM

APPLICANT—H. H. Robertson Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to method of attaching side joints of adjacent units—re Robertson Keystone Beam Steel Floor and Robertson Cellular Steel Floor; previously approved.

128-41-SA

APPLICANT—American Furnace Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of suspended oil-fired furnaces, namely 28-OC and 33-OC—re Afco Ceiling Mounted, oil-fired Air Conditioning Unit, Models 12-OC and 23-OC; previously approved.

341-44-SM

APPLICANT—Research Products Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to extension of use—re Research Air Filter, Series No. 230, Dry Type; previously approved.

160-47-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of gasoline dispensers 96 BHG and 98BHG—re Gilbert and Barker Gasoline Dispensing Pumps, Models M96HG, M96ER, M98HG, M101, 96HG, 98HG, M-96HGRC and M-98HGRC; previously approved.

809-47-SA

APPLICANT—Fullerton Equipment Corp., for Roberts-Gordon Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional model of gas conversion burner, Model 400-Z—re Roberts-Gordon Gas Burners, Models 400-Z-2, Types H and PH; previously approved.

866-47-SA

APPLICANT—The Linde Air Products Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Oxweld Cutting Blowpipe (various models) and Purox Cutting Attachment Type No. 35 and Type No. CW202; previously approved.

899-47-SA

APPLICANT—Bryant Division of Carrier Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of Gas-Fired Forced Air Furnaces, namely Model 385—re Bryant Winter Air Conditioner; previously approved.

829-48-SA

APPLICANT—The York Shipley Inc., owner. The Nu-Way Corp., former owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership—Models J, K, L, H, CO, IXL and trade names Afco, Bard Leeson, Meyer, Power Oil, Rudy, Thatcher, Waterbury, Fitzgibbons, Mueller Climatrol, Bryan Steam Round Oak, Perfectaive, General Electric, Shepherd, Frontier, Ingersoll, Janitrol, Milwaukee Supreme, Oil Electric, Queen City, Permaglas, Spencer Heater, Weil-McLain, Sooner, Sun, Patten, Synchronomatic, Meridian, Repco, Thermo Oil-O-Matic, Chrysler, Airtemp, Certified Oil, Hall-Neal Victor, J & C, Fire Power-O-Matic, McDonald and Silver Seal Oil Burners; previously approved.

865-48-SM—Vol. II

APPLICANT—H. H. Robertson Company, owner.
SUBJECT—Application reopened January 8, 1957 for amendment of resolution as to additional sections of roof deck—re Robertson Q-3 and Q-12 Roof Deck and Siding Material; previously approved.

241-50-SA

APPLICANT—York-Shipley Inc., owner. Jackson & Church Company, old owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership—re Jackson & Church Oil-fired Suspension Units (various models); previously approved.

229-50-SA

APPLICANT—Iron Fireman Mfg. Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership of Scaife Company—re models GCT-150, GCT-200 and GCT-300 Gas Conversion Burners, GBG-90, GBG-112, GBG-135, GBG-157, GBG-180, GBD-135, GBD-202, GBD-270, GBD-337 and GBD-405 Gas-fired Boilers, GFJ-75, GFJ-100, GFJ-125, GFL-150, GFL-175, GFL-200, GFK-75, GFK-100, GFK-125, GFU-65, GFU-95, GFU-125, GFW-65, GFW-95, GFW-125, GFV-65, GFV-95 and GFV-125, Timken Silent Automatic Gas Burners, Models GFD-60, GFD-80, GFD-107, GFH-56, GFH-80, GBB-60 and GBR-80; previously approved.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional trade names—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

499-50-SA

APPLICANT—Bryant Manufacturing Company, for Affiliated Gas Equip., Inc., owner.
SUBJECT—Application for a reopening and amendment of resolution as to new Model designations, namely Model 387—re Bryant Gas-fired Winter Air Conditioner, Model BA 87; previously approved.

350-51-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re ABC Oil Burner, Model 40, Thatcher Furnace Co. under name of Thatcher Oil Burner, Models 751-1, 751-2 and 751-3, Mt. Hawley Div. 1 of Bryant Mfg. Co.—Mt. Hawley Div. Model 40 Oil Burner; previously approved.

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211-53-SA

APPLICANT—Speed Queen Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of washing machines, namely A20A, A20C, A20CF, A24, A24W, A25, A25F, A201 and A201F—re Speed Queen Automatic Washer (domestic type) Models A10, A11, A12, A18, A19, A20, A21, A22, A21W, A22W and A20F; previously approved.

489-54-SA

APPLICANT—Delco Appliance Div. of General Motors Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc., under Petroleum, Heat & Power Co., Models D-2 and D-3, Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

580-54-SA

APPLICANT—York-Shipley, Inc., owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Jackson and Church Gas-fired Suspended Units, Models GA-350 and GA-450; previously approved.

199-55-SA—Vols. I & II

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional use—re Oxweld W-45 Welding Blowpipe and Oxweld CW-45 Cutting Attachment; previously approved.

989-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104BD, 104BDRC, 104BDHG and 104BDHGRC—re Gilbarco Dual Gasoline Dispensing Pump, Model 104D and 104DSA; previously approved.

990-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104B, 104BRC, 104BHG and 104BHGRG—re Gilbarco Single Gasoline Dispensing Pump, Model 104 and 104HG; previously approved.

385-56-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1006B, 1004B, 1002B, 1006BRC, 1004BRC, 1002BRC, 1006BHG, 1004BHG, 1002BHG, 1006BHGRG, 1004BHGRG and 1002BHGRG—re 1006HG, 1004HG, 1002HG, 1006HGRG, 1004HGRG and 1002HGRG, Gilbarco Calco-Meter Electric Gasoline Dispensers, Models 1002, 1004 and 1006 and Gilbarco Remote Control Gasoline Dispenser, Models 1006RC, 1004RC and 1002RC; previously approved.

720-56-SA

APPLICANT—Burnham Corporation, Boiler Division, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas boiler "Holiday 70"—re Holiday No. 60 Gas Boiler, Models 4-60, 5-60, 6-60, 7-60, 8-60, 10-60 and 12-60; previously approved.

208-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1003B, 1005B, 1007B, 1003BRC, 1005BHG, 1007BHG, 1003BHGRG, 1005BHGRG and 1007BHGRG—re Gilbarco Gasoline Dispensers, Models 1003, 1003RC, 1003HG, 1003HGRG, 1005, 1005HG, 1005RC, 1005HGRG, 1007, 1007HG, 1007RC and 1007HGRG (single standard, remote control, high gallonage); previously approved.

268-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1026B, 1026BRC, 1016B and 1016BRC—re Gilbarco Gasoline Dispensers, Models 1026, 1025RC, 1016 and 1016RC; previously approved.

359-57-SA

APPLICANT—H. A. Simmons for Empire Stove Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas-fired heater, namely WFA-50-Wall Heater—re Empire Gas-fired Recessed Wall Heater, Model WFA-35; previously approved.

412-57-SM

APPLICANT—National Screw & Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marking of bolts—re High Strength Structural Bolts; previously approved.

554-57-SA

APPLICANT—General Fittings Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of electric preheater and permission to market under additional trade names—re General Fittings Electric Oil Immersion Heater, previously approved.

1001-57-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 49RC and 49-TP-RC—re Tokheim Remote Control Gasoline Pumping Units, Models 45-RCP and 46-RCP and Tokheim Island Dispensing Pedestals, Models 45-HRC and 45-TP-RC; previously approved.

662-57-SM

APPLICANT—E. K. Lofberg for Corning Glass Works, owner.

SUBJECT—Application August 22, 1957—Pyrex Brand Glass Pipe, approval of.

91-58-SM

APPLICANT—Wilcox-Woolford Corporation, owner.

SUBJECT—Application February 5, 1958—Furnaflex; wood veneer for interior walls, approval of.

176-58-SM

APPLICANT—Temp-Resisto Drapery Corporation, owner.

SUBJECT—Application November 7, 1957—Temp-Resisto Drapery Lining, approval of.

339-58-SA

APPLICANT—American Radiator & Standard Sanitary Corporation, owner.

SUBJECT—Application May 23, 1958—American Radiator & Standard Sanitary Corporation Inshot Gas Conversion Burner, Models IN-150, IN-245, IN-275, approval of.

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667-54-SA

APPLICANT—Berger Furnace Division of Burnham Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Berger Gas-fired Warm Air Furnace (various models); previously approved.

987-55-A

APPLICANT—Dorothy Clover, neighboring property owner.

OWNER OF PREMISES—Hanco Realty and Finance Corp.

LESSEE—Taft Cleaners and Dyers, Inc.

SUBJECT—Application December 14, 1955—Appeal from a decision of the Borough Superintendent—re Revocation of Certificate of Occupancy.

PREMISES AFFECTED—461 Forest Avenue, northwest corner of Hoyt Avenue, Block 136, Lot 49, Randall Manor, Borough of Richmond.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II Appeal from a decision of the Borough Superintendent re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08 40th Road, southeast corner, Block 403, Lot 43, Long Island City, Borough of Queens.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben Beverly, owner; Ben Beverly Equipment Co., Inc., lessee.

SUBJECT—Application June 8, 1955—Appeal from a decision of the Borough Superintendent—re frame building—factory use.

PREMISES AFFECTED—38-02 28th Street, southwest corner of 38th Avenue, Block 386, Lot 16, Long Island City, Borough of Queens.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.

SUBJECT—Application August 14, 1956—Appeal from a

decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquefied Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, building being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

318-58-A

APPLICANT—Leonard F. Rothkrug, for B. Balzino Dress Co., Inc., owner.

SUBJECT—Application May 13, 1958—Appeal from an order and a decision of the Fire Commissioner, re bars on windows.

PREMISES AFFECTED—49-63 Quentin Road, northwest corner of West 11th Street, Block 6620, Lot 46, Borough of Brooklyn.

337-58-A

APPLICANT—Lama, Proskauer and Prober, for Sun Parking Garage, owner.

SUBJECT—Application May 23, 1958—Appeal from an order from the Fire Commissioner, re storage garage.

PREMISES AFFECTED—148 West 48th Street, south side, 225 feet, east of 7th Avenue, Block 1000, Lot 53, Borough of Manhattan.

356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

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428-58-A

APPLICANT—Harold Herman, for Mayfair-York Corporation, owner.

SUBJECT—Application July 16, 1958—Appeal from a decision of the Borough Superintendent, re temporary Certificate of Occupancy.

PREMISES AFFECTED—36 Gramercy Park East, east side, 39 feet, 5-1/7 inches south of Gramercy Park North, Block 876, Lot 21, Borough of Manhattan.

520-58-A

APPLICANT—Howard M. Dowling, for Board of Education, City of New York, owner.

SUBJECT—Application August 26, 1958—Appeal from a decision of the Borough Superintendent, re standpipe system.

PREMISES AFFECTED—21 West 138th Street, north side, 111 feet, 9 1/4 inches west of 5th Avenue and 16-18 West 139th Street, Block 1736, Lot 27, Public School 100, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 28, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 28, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

69-58-BZ

APPLICANT—Leonard F. Rothkrug, for Shenbro Realty Corp., owner; Sol Dwork, lessee.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of one apartment on the ground floor of a multiple dwelling as a clinical laboratory for a term of ten (10) years.

PREMISES AFFECTED—1686 Grand Boulevard and Concourse, northeast corner of East 173rd Street, Block 2823, Lot 36, Borough of The Bronx.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Bor-

ough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

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186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

91-41-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Getty Realty Corporation, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the increase in the number of broadcasting stations from one to two stations and extend the term of the variance, previously granted, for a term of five (5) years.

PREMISES AFFECTED—2-6 East 61st Street and 795-798 Fifth Avenue, southeast corner, Block 1375, Lot 67, Borough of Manhattan.

422-58-BZ

APPLICANT—Leonard F. Rothkrug, for Joseph Katz and Martin Barell, owners.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the existing patron's and employees' parking lot from the business use portion to the residence portion of the plot for a stated term of fifteen (15) years as accessory to a retail supermarket in the business use portion of the plot.

PREMISES AFFECTED—2532-2554 86th Street, south side, from Bay 40th to Bay 41st Street, 1-11 Bay 40th Street and 2-12 Bay 41st Street, Block 6868, Lots 37, 49, 50 and 51, Borough of Brooklyn.

256-45-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Angelo, Sebastiano and Guiseppe Rodolico and Vincenzo Bongiorno, owners; Aluminum Fabricators, Inc., lessee.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired May 13, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail and residence use district, the change in use from garage for more than five motor vehicles, to manufacturing and storage of aluminum building products for a term of ten (10) years.

PREMISES AFFECTED—1736 Pacific Street, south side, 75 feet of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn.

1070-47-BZ

APPLICANT—Skyline Collision Inc., lessee, for Josephine Stock, owner.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired March 19, 1951 and to obtain Certificate of Occupancy—decision of the Borough Superintendent, previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from auto body painting, to auto body painting, body and fender repair work and welding and spraying.

PREMISES AFFECTED—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing-non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the local Board.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant

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to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubricatory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubricatorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans; then to October 28, 1958, applicant to file further revised plans carrying out the instructions given by the Board at the meeting of July 29, 1958; and for decision.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 5, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 5, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubricatorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner. Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the

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Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 East 222nd Street, northwest corner of Baychester Avenue, Block 4880, Lots 23 and 30, Borough of The Bronx.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.

PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Seguin Avenue, Block 6699, Lot 1, Princess Bay, Borough of Richmond.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hand tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, auto washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

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352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958*, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

Hearing postponed from October 7, 1958, to November 12, 1958, at the request of the applicant to revise his plans.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 18, 1958*, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 9, 1958*, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use

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district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing

on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

HARRIS H. MURDOCK, *Chairman*

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REGULAR MEETING

TUESDAY MORNING, OCTOBER 7, 1958, 10 A. M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, September 23, 1958, were approved as printed in the Bulletin of September 30, 1958, Vol. 43, No. 39.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold H. Fassler.

For Opposition: Isidore Rivinson, Thomas Konz, Mary Passalacqua and Vito Passalacqua.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for further consideration as may be necessary pending sale or action by Bureau of Real Estate as to car barn property opposite.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958—Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Taken off calendar; referred to Examiner for new date of hearing; no notices having been sent out.

146-45-BZ—Vol. II

APPLICANT—Joshua Brown for John Swedberg, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.

PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: George G. Everitt.

ACTION OF BOARD—Laid over for inspection and decision; date to be set; hearing closed.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Albert J. Zemlock and Leo B. Mark.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the ad-

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ditional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch and Louis Heller.

For Opposition: Moses M. Weinstein, Zelda Scott, Milton Rich, Leo Buraghi, Esther Penn, Libby Greenspan, Miriam Spitzer, Julius Freidman, Miriam Freidman, Rhoda Cohen, Thea Gray, Helen Sedlack, Freda Stern, Beulah Lederman, Elaine Steinberg, Jennie Busch, Estelle Simon, Ilse Katz and Milton Scott.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: Alaska McKinney.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Florence M. Meyer.

For Opposition: Dreyer & Traub, Anthony P. Savarese, Edward L. Schiff, M. H. Tretter, Irving Kaskal, William J. Geis, Violet Barre, Frederick E. M. Ballou, John Bikulah, James J. McDermott, Mrs. James J. McDermott, Mrs. J. Phair, Harry J. Bastone, Blanche Leavy, Benjamin Wright and Joseph P. Maher.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

711-56-BZ

APPLICANT—Paul Freidman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 of-

ficial) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A.M. for applicant to report to the Board as to adjacent property proposed for church and school which are in objection; hearing previously closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Helen Maas.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President and for decision; hearing previously closed.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: None.

ACTION OF BOARD—Hearing continued to October 21, 1958, at 10 A.M. for applicant to file corrected plans and record of permits in the Building Department.

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129' 0" on Teller Avenue.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

APPEARANCES—

For Applicant: P. D. Concagh and Ivy Herbst.

For Opposition: Philip Hershaft.

For Administration: John J. Saunders, Bd. of Education.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; applicant to file additional plan showing school and playground entrances and exits on all streets; and for the Board of Education to report as to conditions of the school after hours and information as to the number of children from kindergarten to sixth grade; hearing closed.

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43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.

For Opposition: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M., applicant to file further revised plans carrying out the instructions given by the Board at the meeting of July 29, 1958; and for decision; hearing previously closed.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Gramere, Borough of Richmond.

APPEARANCES—

For Applicant: John J. Tricarico.

For Opposition: William E. Gerke, Jr., Ciro Lordo, Daniel J. Carter, Mrs. J. Butera, A. Mistretta, Mrs. Anthony Summa, Louis Campanella, Dorothy Carter, Joseph Cappa and Mrs. Sadie Cappa.

ACTION OF BOARD—Hearing postponed to November 12, 1958, at 10 A. M. at the request of the applicant to revise his plans.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side, 181.76 feet north of Old Town Road, Block 3224, Lot 14, Gramere, Borough of Richmond.

APPEARANCES—

For Applicant: John Tricarico.

ACTION OF BOARD—Hearing postponed to November 12, 1958, at 10 A. M. at the request of the applicant to revise his plans.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four story and basement building, from church and mission rooms, recreation rooms and offices to business offices and showrooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: Lucien David.

For Opposition: None.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

153-58-A

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—Appeal from a decision of the Borough Superintendent, re winders in required stairway.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: Lucien David.

For Opposition: None.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

163-58-BZ

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Jacob John Gibson.

For Opposition: Emil Zellerand and Harold Zimmer.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

164-58-A

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—Appeal from a decision of the Borough Superintendent, re cellar occupancy as Laboratory—Frame Building.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Jacob John Gibson.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: L. F. Rothkrug.

For Opposition: Gilbert Kerlin.

ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; hearing previously closed.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the

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Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.
PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.
APPEARANCES—
For Applicant: L. F. Rothkrug.
For Opposition: Gilbert Kerlin.
ACTION OF BOARD—Laid over to October 15, 1958, at 10 A.M. at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; hearing previously closed.

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.
SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.
PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama.
For Opposition: None.
ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

245-58-A

APPLICANT—Lama, Proskauer and Prober, for Edward and Leonard Sessa, owners.
SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re change from theatre to catering, requires removal of marquee.
PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Alfred A. Lama.
ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.
SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.
PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.
APPEARANCES—
For Applicant: A. H. Salkowitz.
For Opposition: J. F. Clarity.
ACTION OF BOARD—Laid over to October 21, 1958, at 10 A.M. for inspection and decision; hearing closed.

418-58-BZ

APPLICANT—Harry M. Prince and Mitchell, Barker and Cohen, for Claude E. Forkner, owner.
SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an

eleemosynary and charitable foundation and in part by doctor's offices for the practice of medicine as a group, including the owner with connection to the foundation.
PREMISES AFFECTED—35 East 69th Street, north side, 125 feet west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.
APPEARANCES—
For Applicant: Harry M. Prince, MacNeill Mitchell and Claude E. Forkner.
For Opposition: Harry E. Hasselmann.
ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for inspection and decision; hearing closed.

1053-47-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Bacrol Realty Corp., owner.
SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under Sections 7e and 21 of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a two story extension, to the present building occupying more than the permitted area and with less than their required rear yard, and change the present use to boiler room, storage and service of air conditioning equipment, repair of refrigeration equipment, welding, spraying, storage of refrigeration parts, refrigeration carpentry work, storage of lumber in conjunction with refrigeration, storage of insulation and office for a stated term of fifteen (15) years.

PREMISES AFFECTED—115-119 King Street, south side, 275 feet south of Richards Street and 72-76 Sullivan Street, Block 556, Lots 15, 43, 45 and 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on May 6, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Richards Street are in a residence use, D area, class 1 height district; King Street and Sullivan Street are in residence and business use, D area, class 1 height districts; Van Brunt Street is in a business use, D area, class 1 height district; that as of April 25, 1916 the premises were in an unrestricted use district, class 1½ height district and class A area district; that the present use, height and area designations became effective May 19, 1939; and

WHEREAS, the decision of the Borough Superintendent, dated April 7, 1958 acting on Alt. Applic. No. 302-58, reads:

"1. The proposed extension of a building and the change of use from boiler room, storage and service, repairs of refrigerators, storage of refrigerator parts and office, to boiler room and air conditioning equipment, storage and service repairs of refrigeration equipment, welding, spraying, storage of refrigeration parts and refrigerators, carpentry work and storage of lumber in conjunction with refrigeration, storage of insulation and office, on a plot located in a residence use district is contrary to Art. II Sect. 3 of the Zoning Resolution.

"2. Business signs located in a residence use district are contrary to Art. II Sect. 3 of the Zoning Resolution.

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"3. Provide a rear yard as per Art. IV Section 17 and Section 14 of the Zoning Resolution.

"4. Area of building exceeds permitted percent of coverage in a 'D' area district and is contrary to Art. IV Section 14 of the Zoning Resolution.

"Note: Premises were subject of a Board of Standards and Appeals variance under Cal. No. 1053/47/BZ." Vol. I, Vol. II.

and

WHEREAS, the applicant states that the premises consist of a plot, 65 feet frontage by 200 feet in depth, presently developed with several buildings as follows: lot 15—one story in height of class 3 construction, having a frontage of 65 feet, a depth of 100 feet and now occupied as storage and service repairs of refrigerators, storage of refrigerator parts and office; lot 43—three stories in height, of class 3 construction, having a frontage of 30 feet, a depth of 48 feet and now occupied as a dwelling (vacant); lot 45—building A—two stories in height, of class 3 construction, having a frontage of 24 feet, a depth of 48 feet and now occupied as a dwelling (vacant); lot 45—building B—three stories in height, of class 4 construction, having a frontage of 20 feet, a depth of 38 feet and now occupied as a dwelling (vacant); lot 46—vacant; that it is proposed to obtain a variance for a temporary period of fifteen years in order to demolish the present buildings on lots 43 and 45 and extend the present building on lot 15 by erecting a new two story extension of class 3 construction, having a frontage of 80 feet and a depth of 100 feet; that the combination of the present building and the new extension will be used for boiler room and air conditioning equipment, storage and service repairs of refrigerator equipment, welding, spraying and storage of refrigeration parts and refrigeration, carpentry work and storage of lumber in conjunction with refrigerators, storage of insulation, and offices; and

WHEREAS, the applicant states that the permissible area that could be occupied is 4400 square feet; that the proposed extension is 8043 square feet, and therefore the proposal is 3643 square feet in excess; that this excessive area is required for the proper operation of this business; that the business sign as proposed will only advertise the name of the company operating the business within, and will not be illuminated; that the proposed extension abuts a building that was erected without a rear yard, so that the omission of the rear yard cannot affect the adjoining property owners; and

WHEREAS, the applicant states that the building on lot 15 was erected under N.B. Applic. No. 1352-42 and under Cal. No. 1053-47-BZ, Vol. I, for use as a storage warehouse; that Certificate of Occupancy No. 124390 was issued for said use; that the building was altered under Alt. Applic. No. 1178-50 and under Cal. No. 1053-47-BZ, Vol. II and the use changed to—cellar, boiler room; first floor—storage and service repairs of refrigerators, storage of refrigerator parts and office; that Certificate of Occupancy No. 131268 was issued for said uses; that there are no records available for the building on lot 43; that the front building on lot 45, designated as Building A, was last altered under Alt. Applic. No. 3953-1939 for use as a one family dwelling; that Certificate of Occupancy No. 150735 was issued for said use; that the rear building on lot 45, designated as Building B, was last altered under Alt. Applic. No. 3957-1939 for use as two family dwelling and Certificate of Occupancy No. 150695 was issued for said use; and

WHEREAS, the applicant contends that the removal of the three vacated buildings on the site and the erection of a new, modern designed building will do much to improve the appearance of the entire neighborhood; that within the affected area there are many non-conforming uses, so that the erection of this new building will be entirely within keeping at this point; that the non-conforming uses are as follows: block 546, lot 51—factory; block 556, lots 24 and 37—garage and motor vehicle repair shop; block 566, lots 12 and 23—warehouse and store; and

WHEREAS, the applicant states that the present owner has held title to the property since February 10, 1947, May

11, 1957 and February 27, 1958; that the assessed valuation of land is \$8,700 and of the building \$35,800 making a total of \$44,500; that the building was erected in 1947; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board which recommended that the prior resolution should be amended as to objections of the Borough Superintendent 1, 2, 3 and 4.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 20, 1948, as thereafter amended by resolutions adopted through May 22, 1951 by adding thereto:

"that in the event the owner desires to extend the building to Sullivan Street and to erect such building as one-story with two-story section substantially as proposed and as indicated on plans filed with this application marked 'Received April 22, 1958', 5 sheets, such extension may be permitted to the existing building as permitted under Vol. I; under section 7 subdivision e for a term of 20 years from the date of this amended resolution; and to make a variance as to area under Section 21 to permit the coverage as proposed and as shown on such plans for a similar term *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

427-49-BZ—Vol. II

APPLICANT—Arnold W. Lederer, for Joseph Moldau, owner; Weiss Bros., lessee.

SUBJECT—Application reopened September 25, 1956 as Vol. II—decision of the Borough Superintendent, under sections 21 and 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy from pumping station and storage to storage of office stationery and similar dry goods and loading and unloading and as later amended for storage and sale of new and used industrial equipment.

PREMISES AFFECTED—363-365 Dahill Road, eastside, 240 feet north of Cortelyou Road, Block 5369, Lot 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. W. Lederer and Jack Moldau.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on September 25, 1956 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to September 23, 1958, for continuation of hearing; applicant to send notices by regular mail and to correct his papers and state who is the lessee and the type of occupancy, then to September 30, 1958, for inspection and decision; hearing closed; then to October 7, 1958, to permit applicant to correct his papers and examiner to prepare corrected digest and for decision; hearing previously closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated August 8, 1958 acting on Alt. Applic. No. 2559-56, reads:

"1. Proposed change of occupancy in a Residence zone from water filter plant to storage and sale of new

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and used industrial equipment & loading and unloading is contrary to Article II PP. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet frontage by 100 feet in depth, presently developed with a one story brick, front and rear building; that the front building is of fireproof construction, except for the rear extension; that the rear building is vacant, in a state of disrepair and is without a roof; that the front building was used by the New York Water Service Company as a storeroom, work shop and for the housing of a truck and miscellaneous equipment; that the building in the rear housed the pumping unit for the well; that it is proposed to use the building for the storage and sale of new and used industrial mechanical equipment and hardware in connection with same, loading and unloading; that there will be no combustibles; that the building is normally closed except when merchandise is delivered or shipped; that the rear building is not to be used and will be demolished; that the two lot line windows, facing side yard of adjoining tenement house, in south wall are proposed to be bricked up; that loading and unloading will be carried on within the confines of the building only, and only during normal business hours; and

WHEREAS, the applicant states that this building was occupied up to 1950 as an industrial building, and the present owner purchased the property on May 18, 1950 in good faith, never realizing that this commercial type building could not be used for a business use; that in order to protect his investment, he has leased the premises for a storage use, which should be considered as a less active use than a water works; that the affidavit of the owner, filed with this application, describes present use of the building as follows: first floor—storage building for hardware; and

WHEREAS, the applicant further states that the New York Central and Long Island freight trains run on the ground on this block—see block 5369, lots 50-52 and block 5367, lot 8—facing the property; that also on this same block, there is a gas station on lot 53; that the front of this structure is of neat design, in harmony with four family tenements adjoining on each side of the building; that the property in the rear, and within 100 feet of Cortelyou Road on this block 5369, is located in a business district; that by demolishing the rear building, the prohibited use will be diminished; that the yard will not be used for any purpose; that this property can contribute its share of taxes to the City of New York only when it is self supporting and rentable and maintained in good condition; and

WHEREAS, the applicant contends that it would be an unnecessary hardship and a practical difficulty to carry out the strict letter of the law in order to change its use to one permitted only in a residential district in view of its original construction, and it is therefore requested that this appeal be granted under such conditions as the Board will set; and

WHEREAS, the applicant states that the present owner has held title to the property since May 18, 1950; that the assessed valuation of land is \$4,000 and of the building \$6,000 making a total of \$10,000; that the building was erected in 1930 and 1933; and

WHEREAS, the premises and surrounding area where inspected by a committee of the Board; and the committee recommended that the use, as proposed, may be continued; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulation of the Zoning Resolution and that

the application be and it hereby is granted under Section 7e and Section 21 provided that all storage of new and used industrial equipment, as proposed, shall be stored entirely within the building and not in any other portion of the premises and if any is stored in the rear yard it shall be removed; that the front of the building shall be made presentable by painting the front and doors; that signs shall be restricted to one sign attached to the building and not extending beyond the building line and not exceeding five square feet advertising the use of the building; and that all permits shall be obtained and all work completed within six months from the date of this resolution and a certificate of occupancy obtained.

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: William Kurtzrock, Robert F. Wasmund and William Ringwald.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 22, 1958 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Woodbine Street and Madison Street are in retail and residence use, C area, class 1 height districts; Fresh Pond Road is in a retail use, C area, class 1 height district; 60th Place is in a residence use, C area, class 1 height district; that the portion of the premises within 100 feet of Fresh Pond Road is located within a retail use district and the remainder is in a residence use district; that the portion of the premises in the retail use district was formerly in a business use district; that the present zoning designation became effective on November 18, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated March 12, 1958 acting on Alt. Applic. No. 358-58, reads:

"1. The extension of the use of the premises as a retail food market occupies more than permitted area in a C area district and is contrary to Art. IV Sec. 13(b) of Zoning Resolution and is contrary to Board of Standards and Appeals Res. 702-52-BZ and is referred back to the Board for reconsideration.

"2. Proposed extension of use of the residence part of the plot for a business curb cut and truck driveway is contrary to Art. 2 Sec. 3 of Zoning Resolution and contrary to Bd. of S. & A. Res. 702-52-BZ and is referred back to the Board for reconsideration.

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"3. Show window located less than 75' from residence use district is contrary to Art. II Sect. 7A of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 105 feet $3\frac{3}{8}$ inches frontage by 102 feet 10 inches in depth; that it is proposed to raze the building on the northerly portion of the premises—lot 66—and erect a one story extension of the store on the southerly portion—lot 73—thereon; that the extension will be one story in height to conform to the existing building on the southerly portion of the premises, and will occupy the entire frontage of the property along Fresh Pond Road; that it will have a maximum depth of 90 feet 3 inches, the rear wall being a continuation of the rear wall of the existing building on the southerly portion of the plot; that as a result, a driveway, 18 inches in width, will be maintained across the rear of the property extending from Madison Street to Woodbine Street; that this driveway will afford facilities for off street loading and unloading; that the southerly portion of the proposed extension, having a frontage of 56 feet on Fresh Pond Road, will be used as part of the present Bohack store; that the remainder of the extension, located at the corner of Fresh Pond Road and Woodbine Street, will be divided into three units; that the larger of these units, located at the corner, will have a frontage of 30 feet $4\frac{3}{4}$ inches and a depth of 60 feet; that although final commitments have not been made, this is intended to be used as a sub-station of the United States Post Office Department; that the rear portion of the property; fronting on Woodbine Street, is to be divided into two small units, each 12 feet in frontage by 30 feet in depth, to be occupied by neighborhood service establishments; and

WHEREAS, the applicant states that the portion of the premises known as lot 73 was acquired by H. C. Bohack Co. Inc. by deed dated October 1, 1948; that this property; however, was owned prior to that time by an affiliated corporation, Bohack Realty Corporation, which had acquired it by virtue of two deeds dated May 16, 1946 and September 5, 1947, respectively; that the remainder of the premises was acquired by H. C. Bohack Co. Inc. on December 19, 1957; and

WHEREAS, the applicant further states that the southerly portion of the premises—block 3529, lot 73—was the subject of a prior application to the Board under Cal. No. 702-52-BZ which was granted on July 17, 1953; that in accordance with the Board's Resolution, the owner has erected a one story retail store on this portion of the property, which store has a frontage of 63 feet, $10\frac{7}{8}$ inches and a maximum depth of 94 feet, $3\frac{1}{8}$ inches; that a space, having a uniform width of 18 feet, along the westerly lot line is used as a driveway and for loading and unloading of merchandise; that the property is occupied pursuant to Certificate of Occupancy No. Q-97152, issued on July 19, 1954; that the balance of the subject premises is now occupied by a one story building which has been divided into five retail stores; that this building, which was erected more than 30 years ago, is in a dilapidated and run down condition; that two of the stores are now vacant and the remaining three are occupied as a beauty parlor, fruit store and radio repair shop; that Certificate of Occupancy No. 700 issued December 14, 1928 permits this portion of the premises to be used as an automobile showroom; that as far as can be determined, no later Certificate has been issued; and

WHEREAS, the applicant states that the first objection relates to the fact that the proposed building will occupy a greater percentage of the premises than is permitted by the Zoning Resolution; that the present Bohack store has proved to be completely inadequate to serve the needs of the community, and in order better to accommodate its customers, the Company acquired the balance of the block front to the north of its store and now seeks to extend its building over that parcel; that the plans of the proposed building—Plan No. 1—show that the rear wall of the pro-

posed extension will be a prolongation of the rear wall of the existing store; that while it is true that this extension will occupy more than the allowable area under the Zoning Resolution, it is also true that the present buildings occupy a greater percentage of the plot than the area district restrictions allow; that plan of existing conditions show that the present building is so designed that much of the vacant area of the plot is in the center portion where it is of no benefit to the adjoining or abutting property; that for instance, the westerly wall of the existing building is erected along the rear property line for a distance of about 21 feet from Woodbine Street; that it is then set back about 7 feet for a distance of approximately 38 feet, and as a result this wall is located on or very near the lot line for 60 feet of its total length of 86 feet $7\frac{1}{2}$ inches; that the rear wall of the proposed building, however, will be 18 feet from the property line, thereby providing an open space between the proposed building and the building on the adjoining property—lot 63—of slightly more than 27 feet in width; that in Volume I of this application, facts and circumstances were pointed out which rendered it necessary for the owner to utilize more of its property than would be permitted by the Zoning Resolution; that the conditions which prevailed at that time still exist and still require the use by the owner of a greater percentage of the property than the Zoning Resolution contemplates; that to require the owner to comply with the area district regulations would serve no useful purpose and would benefit no one; that the building now on this portion of the property exceeds the allowable coverage and because of its design, it leaves little or no space between the westerly wall of the building and the adjacent property; that the present proposal will leave a rear yard of 18 feet thereby creating an open space of not less than 27 feet between the two buildings; that no other property would be affected by this application; that the business of H. C. Bohack Co. has increased to such a degree that it can no longer serve its customers in the present store and it finds it absolutely necessary to seek additional property; that to require it to conform to area district restrictions would be to compel it to erect an irregularly shaped building which of course would be very undesirable; and

WHEREAS, the applicant further states that the area of the portion of the subject premises affected by this application is 9139 square feet; that the area of such portion in the retail use district is 8644 square feet; that the allowable building area under Section 13 of the Zoning Resolution is 5936 square feet; that the area of the proposed extension is 7580 square feet and the excess coverage therefore is 1644 square feet; that the area of the present buildings on this portion of the premises is 6493 square feet; and

WHEREAS, the applicant states that the second objection raised by the Borough Superintendent has to do with the fact that a portion of the driveway in the rear of the property and the curb cut leading thereto is in the residence use district; that it is to be noted that all of the proposed extension is located within a retail use district, but a small portion of the driveway leading to the loading area, however, is in the residence use district; that this portion is slightly less than 3 feet on Woodbine Street and extends to approximately 8 feet opposite the southerly end of the extension; that no part of the curb cut is within the residence use district, all of it being in the retail district; that in its action on July 17, 1953 the Board permitted the use of the rear portion of the original property for driveway, loading and unloading purposes, and the present application would continue that use throughout the remainder of the property, with the result that trucks will be able to enter the property from Madison Street and exit through Woodbine Street; that this would eliminate the necessity of any truck backing across the sidewalk and will result in fewer crossings of the sidewalk on Madison Street; that the design of the proposed improvement will afford loading facilities thereby eliminating any on-street loading and unloading; and

WHEREAS, the applicant states as to the third objection of the Borough Superintendent, that the owner anticipates using

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the premises located at the corner of Woodbine Street and Fresh Pond Road as a substation of the Post Office Department; that the Department, however, is able to use only a limited amount of property, not exceeding 1800 square feet; that some of the tradesmen in the area have evidenced a desire to rent the space thus left at the rear of the property for use as small service establishments, such as radio or shoe repair shop, etc.; that in fact, some of the present occupants of the property have indicated a desire to remain if the area will accommodate their business; that the owner has therefore provided for two small store units in the rear of the proposed Post Office, each having a frontage of 12 feet and a depth of 30 feet; that they will be used solely for neighborhood type service establishments and will serve as a convenience to the people living in the area; that attention is directed to the fact that the existing building had garage facilities located at the rear, entrance to which was had from Woodbine Street; that the proposed occupancy would be considerably more desirable; and

WHEREAS, the applicant states that the fourth issue has had to do with the restriction imposed by the Board, in its Resolution of July 17, 1953 requiring that the building thus permitted "shall not be further increased in height or area;" that the proposal, of course, involves an increase in the area of the building; that even if the proposed extension did not contravene the area restriction imposed by the Zoning Resolution, an amendment of this Resolution of the Board would be required in order to permit the owner to proceed with its plans; and

WHEREAS, the applicant states that the present owner had held title to the property since October 1, 1948 and December 19, 1957; that the assessed valuation of the land is \$41,000 and of the building \$79,000 making a total of \$120,000; that the building was erected in 1954; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this was laid over for consideration of the objections raised at the hearing and that has been done and the Committee of the Board is of the opinion that if the cars enter solely from Woodbine Street, which is one way west, they will not have to go in front of any house on Woodbine Street and if they come out on Madison Street they will not have to pass any house on that street to get to Fresh Pond Road, and the Committee recommended that the application should be granted on that basis; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the zoning resolution and that the application be and it hereby is granted under Section 7e and 21 for a term of 25 years to permit the construction of an addition to the existing store building as previously permitted by the Board with driveway as shown, *on condition* that there shall be erected on the rear lot line for a distance of one hundred feet from the Woodbine Street building line a masonry wall of face brick not less than 5 feet 6 inches in height; that there may be a curb cut at Woodbine Street not over 15 feet in width which shall be fitted with gates at the building line driveway; that all trucking shall be northerly from Fresh Pond Road west on Woodbine Street turning into the driveway and out of the driveway to Madison Street and south to Fresh Pond Road; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the requirements of the resolution previously granted by the Board under Vol. I shall be complied with as to the driveway across part of the premises subject to renewal of the easement which the Board is advised has been extended to terminate December 31, 1973; that such driveway from Woodbine Street and Madison Street shall

be properly paved; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

44-54-BZ—Vol. II

APPLICANT—New York Telephone Company, owner.
SUBJECT—Application reopened June 11, 1957 as Vol. II —re (decision of the borough superintendent) under Sections 7d and 7h of the Zoning Resolution, to permit in a residence use district, the construction of a second story addition to an existing telephone exchange building and to provide a parking area at said premises for employees' cars.

PREMISES AFFECTED—5501-5523 (5515 official) Avenue I north side, from East 55th to East 56th Streets; 1057-1081 East 55th Street and 1018-1040 East 56th Street, Block 7759, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Klein and Marion E. Horsburgh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 11, 1957 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decisions; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Avenue I, East 55th Street, East 56th Street and Avenue H are in a residence use, D area, class 1 height district; that there has been no change in the use, height or area district designations since July 25, 1916 and there is no petition pending before the City Planning Commission for any change in these designations; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1957 acting on Alt. Applic. No. 681-57, reads:

"1. In a residence use district the proposed addition to an existing telephone exchange building and the installation of curb cuts and parking area is contrary to Art. II Sect. 3 of the Zoning Resolution and is also contrary to the conditional variance granted by the B. S. & A. under Cal. 44-54-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 180 feet and 200 feet in depth; that it is proposed to construct a second floor addition which will be architecturally and structurally in keeping with the existing building; that it will be of fire resistive construction with reinforced concrete columns and roof; that the exterior masonry walls will be faced with brick and the trim will be limestone to match existing; and

WHEREAS, the applicant contends that the plot was selected as the most suitable site for a new telephone center to serve the East Flatbush area; that the present building was erected in 1954 under Cal. No. 44-54-BZ and is one story in height, with a frontage on Avenue I of 109.6 feet and a depth of 134.25 feet; that because of the very extensive building development which is taking place in this area, there is a much greater demand for telephone service than was anticipated by the Company when it erected the present building in 1954; that current estimates show that the existing building has an equipment capacity for 1.7 crossbar dial units, which will accommodate subscriber demand until about July, 1958; that at that time the additional telephone exchange capacity which the proposed addition would provide, will be urgently needed to meet the estimated demand for telephone service in this area; that the proposed addition

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will permit the installation of 3.3 additional crossbar units which will make a total of 5 crossbar units at this center; and

WHEREAS, the applicant states that the present owner has held title to the property since 1952; that the assessed valuation of land is \$31,500 and of the building \$1,234,000 making a total of \$1,265,000; that the building was erected December 14, 1954; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision d and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7d to permit the construction of a second story on the existing telephone building and to provide a parking area under Section 7h, for a term of ten years, substantially as proposed and as indicated on plans filed with this application marked "Received April 29, 1957", 8 sheets, *on condition* that a woven wire fence of the chain link type shall be erected on the lot lines as proposed; that the parking area shall be suitably paved; that the entrance and exit to the premises shall be from East 55th Street and East 56th Street, as shown, each entrance in the fence to be fitted with gates which shall be closed and locked when the premises are not being occupied; that there may be curb cuts opposite such entrances on each street not exceeding 15 feet in width; that a sign may be permitted on the premises advertising the use of the parking lot solely for the employees of the New York Telephone Company; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

167-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Ralph Gargano, owner.

SUBJECT—Application reopened March 25, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with curb cut within 75 ft. of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 to 157-29 21st Avenue, northeast corner and 157-35 to 157-39 Willets Point Boulevard, Block 4752, Lot 1, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 25, 1958 subject to regular procedure, to consider extension of area and use; and

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 21st Avenue are in a local retail use, D area, class ½ height district; Clintonville Street and Willets Point Boulevard are in local retail and

residence use, D area, class ½ height districts; 20th Road is in a residence use, D area, class ½ height district; that as of July 25, 1916 the premises were in a business use district and a class 1 height district; that the present use designation became effective July 17, 1952 and the present height designation became effective July 7, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated March 4, 1958 acting on N.B. Applic. No. 50-58, reads:

"1. Proposed erection of a gasoline service station, lubritorium, minor repairs, car washing, storage room, office and sales, parking of cars waiting to be serviced on the open area and a ground sign on a lot in a local retail district is contrary to Art. 2, Sec. 4c of the Z. R.

2. Proposed curb cut within 75' from a residence use district is contrary to Sec. 7A of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 133.19 feet frontage by 142.83 feet in depth, irregular, and unimproved; that it is proposed to secure a variance for a temporary period of fifteen years in order to erect a gasoline service station consisting of ten 550 gallon approved type buried gasoline tanks and six dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, having a frontage of 60 feet and a depth of 30 feet and will contain the conjunctive uses of lubritorium, minor auto repairs, car washing, storage room, office and sales; that the open portion of the plot, not used by the gas station, will be reserved for the parking of cars awaiting service; and

WHEREAS, the applicant states that the building as proposed will be colonial in design and in keeping with the residential development in this area; that the large planted area will give this station a real suburban look and will be in complete harmony with the intent of Section 7 of the Zoning Resolution; that the pumps, set 15 feet in back of the street building lines, will provide protection for passing pedestrians; that the one 30 foot curb cut on Clintonville Street that is within 75 feet of the residence zone is necessary and required for the proper operation of this gas station and would not have an adverse effect upon the adjoining residence use district any more than block No. 4751, which is completely in a local retail use district; and

WHEREAS, the applicant contends that there are non-conforming uses of gasoline station and cabaret directly across from the site, which proves conclusively that the proposal is within keeping at this point; that the erection of this gas station will offer the public a new brand of gasoline and provide competition that will keep gasoline prices where they should be; and

WHEREAS, the applicant states that the present owner has held title to the property since January 4, 1955 and that the assessed valuation of land is \$4,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and uses legally accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received March 5, 1958", 3 sheets, and "June 5, 1958", one sheet, *on condition* that all uses on the premises shall be removed and the premises shall be leveled substantially to the grade of the abutting streets and shall be constructed and arranged substantially as indicated on plans above cited; that the accessory building shall be of the design, arrangement and location as indicated on such plans and shall otherwise comply with the requirements of the Building Code; that there shall be no cellar

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under such building; that the toilet rooms shall be arranged so that the doors thereto are not contiguous; that along the rear lot line there shall be erected, as proposed, a masonry fence which fence shall be for the full height with masonry to the full height of 5 feet 6 inches along the rear line; that such fence shall be continued along the lot line to the east; that such fence may be reduced to a height of not less than 4 feet 6 inches within 10 feet of the street line; that pumps shall be of a low approved type erected not nearer than 15 feet to the street building line, as shown; that tanks shall be of an approved type not exceeding ten 550 gallon storage tanks; that planting areas shall be maintained where shown with suitable planting material properly protected with curbing not less than 8 inches in width and 6 inches in height above grade; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices; that where not occupied by the accessory building and pumps and planting the premises shall be paved with concrete or asphaltic pavement; that curb cuts shall be restricted to two each 30 feet in width, as shown, to Clintonville Street and one of similar width to 21st Avenue and one of similar width to Willets Point Boulevard with no portion of any curb cut nearer than five feet to a side lot line as prolonged; that the curbing and sidewalks abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7h for a similar term there may be parking of cars awaiting to be serviced provided such parking is so located so as not to interfere with the servicing of the station; that under Section 7e, for a similar term, there may be minor repairs with hand tools only for adjustments maintained solely within the accessory building; that under Section 7A any curb cuts or signs or windows considered by the Department of Buildings as contrary to the Zoning Resolution may be permitted provided the requirements of the Zoning Resolution as herein adopted shall be complied with; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

970-57-BZ

APPLICANT—Haus and Bresin, for David Berlin, owner.
SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, auto wash—non-automatic, lubrication, office, sale of auto accessories, minor repairs with hand tools only and the parking and storage of motor vehicles awaiting service with a show window and business sign within 75 feet of the residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—195-12 to 195-20 Linden Boulevard and 117-02 to 117-10 196th Street, southwest corner, Block 12613, Lot 6, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: John Wharton.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: Commissioner Foley 1

Negative: Chairman Murdock, Vice Chairman Keating
and Commissioner Sleeper 3

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 13, 1958 after due notice by publication in the Bulletin; laid over to June 3, 1958, for inspection and decision; hearing closed; then to June 24, 1958, at the request for applicant to file revised plans to meet the requirements of the proposed tenant for further consideration; then to September 17, 1958, at request of the applicant for revised

plans; then to October 7, 1958, at request of the applicant, for possible withdrawal for conforming use; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 195th Street and 196th Street are in local retail and residence use, D and E-1 area, class ½ height districts; Linden Boulevard is in a local retail use, D and E-1 area, class ½ height district; 118th Avenue is in a residence use, D and E-1 area, class ½ height district; that on July 25, 1916 the entire site was located in a D area district and class 1 height district; that the portion of the site within 100 feet from Linden Boulevard was in a business use district, with the balance in a residence use district; that the use zoning of the portion within 100 feet of Linden Boulevard was changed to local retail on January 1, 1947; that the height zoning of the entire site was changed to ½ on June 30, 1952; and

WHEREAS, the decision of the Borough Superintendent, dated December 17, 1957 acting on N.B. Applic. No. 4098-57, reads:

"1. Proposed erection of a gasoline service station, auto wash (non-automatic), lubrication, office, sale of auto accessories, minor repairs with hand tools only, & parking and storage of cars waiting service on a lot located in a 'Local Retail' use district and extending into a 'Residence' use district is contrary to Article II, Sections 3 and 4-c of the Zoning Resolution.

"2. Proposed ground sign within the Local Retail use portion of lot is contrary to Article II Section 4-c of the Zoning Resolution.

"3. Proposed show window and sign facing 196th St. is located within 75'-0" of a residence district and is contrary to Section 7A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100.68 feet in depth; that it is proposed to develop this site with a modern gasoline service station; that the proposed building will have face brick facades facing both streets, with a peaked roof over the office portion of the building; that gasoline pumps will be installed only along the Linden Boulevard frontage of the property and will be set back fifteen feet from the building line; that there is an existing seven foot high concrete block fence wall along the west lot line; that an iron picket fence on a concrete base will be installed on the south line and this fence will return for sixty feet along the 196th Street building line; that shrubbery and planting, protected by a concrete curb, will be provided all along the 196th Street fence; that the repairing herein proposed will consist of minor repairs using hand tools only and will be confined to the interior of the accessory building; that only one curb cut will be installed on 196th Street and this curb cut will be located within 25 feet of the intersection, in compliance with Section 7A; that objection No. 3 questions the show window and sign on the side of the accessory building as to compliance with Section 7A; that this show window and sign are set 42 feet back from the building line, and the fence and planting area extend all along the building line opposite the side of the building; that for this reason it is felt that Section 7A is not applicable; that if the Board deems that this Section does apply, a modification is requested to permit a show window and sign as proposed; and

WHEREAS, the applicant states that immediately adjoining the site to the west in Block 12613, Lot 1, there is a building material storage yard with a seven foot high concrete block fence wall along the west lot line; that facing the site across 196th Street in Block 12617, Lot 1, there is a beverage depot with a loading platform at the corner; that immediately south of this beverage depot and facing the southerly portion of the subject lot, there is a fire house in Block 12617, Lot 40, and just beyond the beverage depot, extending for 176 feet along Linden Boulevard, there is a lumber yard in Block 12617, Lot 3; that also within the affected area, there is a gas station at the southwest corner of Linden Boulevard and 196th Street in Block 12610, Lot 15; that this gas station was granted by the Board under

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Cal. No. 111-56-BZ; that also within the affected area, another gas station was recently granted by the Board on the northwest corner of Linden Boulevard and 197th Street in Block 11068, Lot 115, under Cal. No. 103-39-BZ, Vol. II; and

WHEREAS, the applicant contends that the entire site is located within the local retail use district except for a small sliver, about one foot deep, at the rear of the lot; that in view of the nature of the surrounding development, it is felt that the proposed fenced and landscaped modern service station will not adversely affect the character of the neighborhood and will provide an appropriate service on this heavily travelled traffic artery; and

WHEREAS, the applicant states that the present owner has held title to the property since February 20, 1957 and that the assessed valuation of land is \$8,200; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e, h and A of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on NB 4098/57, Objections No. 1, 2 and 3 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

31-58-BZ

APPLICANT—Vincent D. Luongo, for Sebastian Cucurato, owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under Sections 7f, 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, on a plot presently used as a parking lot, the erection and maintenance of a gasoline service station, with accessory uses of retail sales, lubritorium, car washing (non-automatic), auto repairs with hand tools only and parking and storage of more than five (5) vehicles with show windows and a sign within 75 feet of the residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—6301-6309 17th Avenue and 1702-1712 63rd Street, southeast corner, Block 5539, Lot 8, Borough of Brooklyn.

APPEARANCES—

For Applicant: Vincent D. Luongo.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,

Commissioner Foley and Commissioner Sleeper..... 4

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 18th Avenue are in a business use, C area, class 1 height district; 17th Avenue is in local retail and business use, C area, class 1 height districts; 63rd Street is in business and residence use, C area, class 1 height districts; 64th Street is in local retail and residence use, C area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated December 31, 1957 acting on N.B. Applic. No. 2198-57, reads:

"1. Proposed building and premises to be used for gasoline selling station, retail sales, lubrication, car wash-

ing, automobile repairs, parking of more than 5 cars, in a business zone, is contrary to Art. II, PP. 4a, subsections 29 and 46 of the Zoning Resolution.

2. Show window and sign within 75' of a residence zone is contrary to Art. II, PP. 7A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 82 feet 6 inches frontage by 100 feet in depth; that it is proposed to erect a one story brick gasoline service station, lubritorium, auto repairs with hand tools only, non-automatic car wash, sales of accessories and parking for more than five cars, and signs; and

WHEREAS, the applicant states that the area directly to the west has been developed mostly with conforming uses and several non-conforming uses, to the north and south of the site with B.M.T. railroad station and business, local retail and residential uses, and to the east developed with residential dwellings; that retail store development or any conforming use would be unfeasible as the area to the south is strictly used for gas stations, manufacturing, parking, junk shops, etc., and certainly would not support a retail store; that 16th Avenue is one block away and is now strictly developed with retail stores and markets of all types catering to the residential area to the north and south of it; that at present there are retail stores now located at the northeast corner of 64th Street and 17th Avenue; that the site is zoned business and the proposed use would have been a conforming use prior to 1925; and

WHEREAS, the applicant contends that 17th Avenue is heavily trafficked in both directions and 63rd Street is a one way street with traffic moving to the west, so that no traffic from the proposed station will move into the residential area; that the design of the proposed new station will be essentially one of contemporary type, exterior brick work and details to match and maintain the character of the residential area; that the back of the station along the 63rd Street side will be screened with a 5 foot 6 inch high brick and metal picket fence and with a planting area of low growing bushes where noted on plans; that it is proposed to include low approved type gasoline pumps, 12 gasoline storage tanks, curb cuts and signs; and

WHEREAS, the applicant states that the present owner has held title to the property since October 5, 1956 and that the assessed valuation of land is \$11,300; that the building was erected August 14, 1957 and has not yet been assessed; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted because of the nearness of the subway station which is adjoining.

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions f, i and A of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. #2198-57, Objection Nos. 1 and 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

258-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Kate Moreo, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—1-9 Knolls Crescent and 560-568 Kappock Street, southwest corner, Block 3407, Lots 66, 72 and 74, Borough of The Bronx.

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APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,
Commissioner Foley and Commissioner Sleeper..... 4

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Knolls Crescent, Kappock Street and Step Street are in a local retail use, E area, class 1 height district; that as of April 25, 1916 the premises were in a business use district and class 1¼ height district; that on December 17, 1953 the premises were changed to a restricted retail use district; that the present retail use district became effective May 12, 1955 and the present height designation became effective June 14, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated March 28, 1958 acting on N.B. Applic. No. 186-58, reads:

"1. In a local retail district the proposed "gasoline service station, lubritorium, minor auto repairs, car washing, office & sales, storage and toilets, parking of cars waiting to be serviced" is contrary to Sect. 4-c, Art. II of the Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 183.21 feet frontage by 93.83 feet in depth, presently developed with a two story frame dwelling and a two car metal garage, which are to be demolished; that it is proposed to secure a variance for a temporary period of fifteen years and to erect a modern gasoline service station consisting of ten 550 gallon gasoline tanks and three dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, with a frontage of 60 feet and a depth of 30 feet and will contain the conjunctive uses of lubritorium, minor auto repairs, car washing, office and sales, storage and toilets; that a portion of the site will be used for parking of cars awaiting service; and

WHEREAS, the applicant states that there are no records available on the two story frame dwelling; that the two car metal garage was erected under N.B. Applic. No. 452-53, but no Certificate of Occupancy was ever issued; and

WHEREAS, the applicant contends that the site is small, irregular in shape and is part of a small local retail use district area situated in the middle of a large residence use district area that is presently developed with large multi-story apartment houses; that the development of this site as a gas station will provide this large apartment house community with a required automotive service that is just as essential as any of the existing retail stores in the area; that the relatively small area of the plot and the irregular shape makes this site unsuitable for any use other than the one proposed; that the removal of the old dwelling on the site and the erection of a modern gas station will remove an eyesore and complete the local retail area in a manner that would be in keeping with the present modern architecture of the adjoining stores; that there is no economic demand for additional stores in this area; that the land is high in assessed value and due to the limited use that this property can be put to because of its irregular shape, it is mandatory for the owner to develop this site as proposed in order to receive an equitable return on his investment; and

WHEREAS, the applicant states that the present owner has held title to the property since January 25, 1945; that the assessed valuation of land is \$15,000 and of the building \$6,500 making a total of \$21,500; that the buildings were erected prior to 1900; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions e and h of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 186/58, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

315-58-BZ

APPLICANT—Samuel Miller, for Hollis Diner, Inc., owner; Esso Standard Oil Co., purchaser under contract.

SUBJECT—Application May 20, 1958—decision of the Borough Superintendent, under Section 7h, 7f, and 7i of the Zoning Resolution, to permit in a retail use district, for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, and the conjunctive uses of lubritorium, auto laundry, (non-automatic), minor auto repairs with hand tools only and parking of motor vehicles.

PREMISES AFFECTED—109-19 Horace Harding Expressway, north side, triangular block from Saultell Avenue to Waldron Street, Block 1969, Lot 2, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch and R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; applicant to file an additional drawing showing sections and grade of roadway and service road at this point; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Saultell Avenue, Waldron Street and Horace Harding Expressway are in a retail use, D area, class 1 height district; that on July 25, 1916 the instant plot Rodman Street, now known as Horace Harding Boulevard and Horace Harding Expressway, was zoned business use for a depth of 100 feet parallel with same, with the balance of the block zoned for residence use; that area zoning was class C and this was changed to D area on February 5, 1940; that there has been no change in the class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 8, 1958 acting on N.B. Applic. No. 1314-58, reads:

"1. The use of the premises as a gasoline service station, lubritorium, auto laundry (non-automatic), minor auto repairs with hand tools only for adjustments maintained solely within accessory building and the parking of motor vehicles in a Retail Use District is contrary to Art. II Section 4A of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 178.04 feet frontage by 125.69 feet and 146 feet in depth, presently improved with a diner and patron parking; that the diner was erected during June 1939 and has been operated continuously since that time by the three partners forming the Hollis Diner, Inc.; that the corporation was formed by the three partners and this corporation is the owner of the land as well as owner and operator of the

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diner; that the plot which is occupied by the diner and kitchen extension, with the surrounding area used for patron parking, is levelled substantially to the grades of the three adjoining streets; that the area where not occupied by the building is presently paved with black top; that it is proposed to remove the diner and kitchen extension and erect a one story, no cellar, accessory building, 53 feet 4 inches by 28 feet 8 inches, to be used as a sales office, rest rooms, heater and storage room and three service bays; that the service bays will be used for lubrication, non-automatic car washing and minor repairs with hand tools only for adjustments; that it is also proposed to install twelve 550 gallon gasoline tanks with two concrete pump islands supporting three low type pumps on each island; that the pumps will face Horace Harding Expressway and will be setback 15 feet from the lot line of the Expressway; that two illuminating signs advertising the brand of gasoline sold will be erected at the two intersections; that the yard area will be resurfaced with black top as required; that a new concrete side walk will be constructed on Horace Harding Expressway and present curb cuts will be rearranged and extended so that there will be three 30 foot cuts including splays, with no cut nearer than five feet from any lot line as extended; that the present 20 foot cut on Waldron Street near the Expressway will be rearranged and extended to a total of 30 feet and 4 feet of the existing cut at the intersection will be restored, so that the new cut will start 5 feet from the intersection and extend 30 feet northwesterly along Waldron Street; that the curb will be restored at the two existing 17 feet 6 inches curb cuts on Waldron Street near the intersection of Saultell Avenue, and a new 30 foot cut, including splays, will be constructed on Saultell Avenue 5 feet from the intersection of the Expressway; and

WHEREAS, the applicant states that the proposed gasoline service station in a retail use district, which will replace the existing diner, will occupy in itself the entire triangular plot; that it will not adversely affect the surrounding area and will be a definite improvement over the present diner use; that the business will be conducted on a main automobile traffic artery—the west bound service street of Horace Harding Expressway, and the large plot will eliminate any traffic snarls; that the diner, which has been at this location since 1939, has outlived its usefulness due to the changes in the street systems; that it is also to be noted that the north side of Waldron Street, east of Saultell Avenue, as well as the north side of the Expressway between Waldron Street and Van Doren Street is being used for various shops, a florist and a Shell gas station as acted on by the Board under Cal. No. 605-50-BZ; that other non-conforming uses within the 500 foot radius include a Gulf Station in Block 1971, Lot 52 granted under Cal. No. 465-50-BZ, a Socony station in block 2162, lot 180, under Cal. No. 289-55-BZ and the golf driving range in block 2159, lot 2 and block 2161, lot 140; that just beyond or outside of the radius diagram area, there is located a Socony station at the northwest corner of 108th Street and Horace Harding Expressway, a Socony station at the northwest corner of Colonial Avenue and Corona Avenue, and the recently approved station on the north side of Horace Harding Expressway between Granger and Xenia Streets; and

WHEREAS, the applicant contends that the present owner of the property has operated the diner continuously since 1939; that the diner is no longer in demand at this location and accordingly the Hollis Diner Corporation has entered into a Purchase Contract with Esso Standard Oil Company, contingent on a zoning variance, for the sale of this property; that Esso Standard Oil Company has no representation along either side of the Expressway in this vicinity and there is a definite need for Esso products; that the only site in this immediate area owned by Esso was located at the southeast corner of Horace Harding Expressway and 97th Place; that this property was taken by the City for school purposes; and

WHEREAS, the applicant states that the present owner has held title to the property since April 1, 1939; that the assessed valuation of land is \$19,900 and of the building \$17,000

making a total of \$36,900; that the building was erected in 1939; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this was laid over for applicant to file plans showing the grade of the roadway at Horace Harding Boulevard including the service road, which have been filed, and the Board has noted that the main highway at this point will be 14 or 15 feet above the service road, the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of 15 years to permit the premises to be occupied as a gasoline service station and uses legally accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received May 20, 1958", five sheets, as amended by revised plans marked "Received October 3, 1958", two sheets, *on condition* that all buildings and uses on the premises shall be removed and the premises shall be leveled substantially to the grade of Horace Harding Expressway Service Road as proposed and the plot shall be developed as indicated on such plans marked "Received October 3, 1958", that the accessory building shall be of the design and arrangement as indicated on plans above cited and shall have no cellar and otherwise shall comply with the requirements of the Building Code and shall be faced with face brick on all sides; that along the building line of Saultell Avenue there shall be erected a masonry wall not less than 5 feet 6 inches in height extending for a distance from the intersection of Waldron Street of approximately 90 feet with suitable terminating post; that a similar wall shall be constructed along Waldron Street building line for a distance of approximately one hundred feet; that pumps shall be of a low approved type erected not nearer than 15 feet to the street building line; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that curb cuts shall be restricted to one curb cut to Saultell Avenue, where shown, not over 30 feet in width and one curb cut to Waldron Street, where shown, of similar width, and three curb cuts to Horace Harding Service Road of approximately the same width; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection within the building line of one post standard toward the westerly end for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over four feet; that at the intersection of Horace Harding Expressway Service Road and Waldron Street and also at Saultell Avenue there shall be erected a block of concrete not less than twelve inches in height and extending for a distance of not less than five feet along each street line from the intersection; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7e for a similar term there may be parking of motor vehicles provided such parking will not interfere with the servicing of the station; that under Section 7i, for a similar term, there may be minor repairing with hand tools only maintained solely within the accessory building for minor auto repairs; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 2:50 P.M.

JOSEPH J. DOYLE, Chief Clerk

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REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 7, 1958, 2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.

440-58-A

APPLICANT—Miles A. Gordon, for Hyman J. Fliegel, owner, Sol Cafe Manufacturing Company, lessee.

SUBJECT—Application July 16, 1958—Appeal from a decision of the Borough Superintendent re: Standpipe System.

PREMISES AFFECTED—109-25 180th Street, east side, 184.95 feet north of Brinkerhoff Avenue, Block 10343, Lot 215, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Miles A. Gordon and Hyman J. Fliegel.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 11, 1958 on Misc. Applic. 56/58, reads:

"1. Request to substitute a sprinkler system in lieu of a standpipe system in a building over 75 feet in height is contrary to C26-1381.0 of the Administrative Code."

and

WHEREAS, the applicant states that the building is 4 stories and 6 platforms, 42 feet and 144.5 feet in height to top of tower, 241.33 feet front by 104.83 feet in depth at street area, 172.5 feet by 59.5 feet in area at typical floor area, of class 1 construction, erected 1956; that pursuant to variance granted by the Board under Calendar 579-56-BZ under the Height District Regulations for Zoning Resolutions; that the building is used on the 1st floor for off-street loading and for coffee processing on the 1st floor and all stories above and the tower; that there are two 3 foot 8 inch wide fireproof stairs with 3-hour enclosure equipped with fireproof self closing doors, one of which leads to roof bulkhead and direct to street; that installed in accordance with the requirements of the resolution adopted by the Board under Calendar 580-56-A; and

WHEREAS, the applicant states that during the course of erection of the building, Misc. Applic. 56/58 was filed for the installation of a sprinkler system, and the application was approved and the system installed; that subsequently an amendment was filed requesting that the sprinkler system be accepted in lieu of a standpipe system; and

WHEREAS, the applicant requests that the requirement for a standpipe system be waived in view of the fact that the lower 4 stories of the building having a total ground floor area of 25,000 square feet are equipped with a two-source automatic factory-mutual type automatic wet sprinkler system and the tower (2800 square feet in area) portion is equipped with a factory-mutual type automatic deluge system consisting of 5 deluge heads on the 5th platform level and 4 such heads on the 10th platform level fed from an automatic heat-actuated electrically driven pump connected to the main sprinkler system; which systems have been installed as voluntary systems under approved Misc. Applic. 36/58 as approved by the Department of Buildings; that there is no human occupancy in the tower other than for an occasional adjustment of the coffee processing machinery; and

WHEREAS, the applicant contends that the structure is completed and ready for occupancy; that to require the installation of a standpipe system at the present time would be a hardship and require a great deal of structural alteration of the building; that the building has not been designed to support a tank and other structural supports required for the standpipe system; that it is therefore re-

quested that the Board permit the acceptance of the existing two-source sprinkler system in the lower 4 floors and the deluge system in the tower as above described in lieu of the required standpipe system.

Resolved, that the decision of the Borough Superintendent, dated July 11, 1958, acting on Misc. Applic. 56/58, Objection #1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the omission of a standpipe system, *on condition* that the premises shall be protected with a sprinkler system consisting of a two-source system for the 4-story section of the building and a deluge system for the tower stories as proposed; and that in all other respects the building and occupancy shall comply with the requirements of the resolution dated October 16, 1956 under Cal. No. 580-56-A and all other rules and regulations applicable thereto.

442-58-A

APPLICANT—Morris Hannes, for 237-239 East 38th Street Realty Corporation, owner.

SUBJECT—Application July 22, 1958—Appeal from a decision of the Borough Superintendent re Class 3 construction, building over 4 stories in height.

PREMISES AFFECTED—237-239 East 38th Street, north side, 125 feet west of 2nd Avenue, Block 919, Lots 23 and 24, Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Hannes.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 16, 1958, on an amendment to Alt. Applic. 1398/57 reads:

"1. Fifth story must be left vacant as building exceeds 4 stories and 50 feet in height.

"Sect. C26-254.0 of the Admin. Code."

and

WHEREAS, the applicant states that the building is 5 stories, 60 feet in height, 50 feet front by 98 feet 9 inches at 1st floor, 50 feet front by 87 feet 9 inches at typical floor, of class 3 construction, erected prior to 1901, located in a manufacturing use, B area, class 1½ height district, and used and occupied since July 30, 1957 as follows: Cellar—storage; 1st floor—office and storage of office records, 3 persons; 2nd floor—storage of office records, no persons; 3rd floor—storage of office records, no persons; 4th floor—storage of office records, no persons; 5th floor—vacant; that it is now proposed to be used and occupied as follows: cellar—storage; 1st floor—office and storage of office records, 3 persons; 2nd floor—storage of office records, no persons; 3rd floor—storage of office records, no persons; 4th floor—storage of office records, no persons; 5th floor—storage of office records, no persons; that the building is provided with 2 interior stairs, 3 feet wide at cellar and 3 feet 8 inches in width above, of iron construction, enclosed in 4 inch solid cinder concrete blocks, equipped with fireproof self-closing doors; and

WHEREAS, Certificate of Occupancy #47765 was issued July 30, 1957, against Alt. Applic. 618/56, permitting the present use and occupancy of the cellar, 1st, 2nd and 3rd floors and requiring 4th and 5th floors to remain permanently vacant; that this certificate shows that the live load on the 1st, 2nd and 3rd stories to be 120 lbs., and on the 4th and 5th floors 40 lbs. each; and

WHEREAS, the applicant states that the building is used on the 1st, 2nd and 3rd floors according to Certificate of Occupancy #47765 and the 4th floor use has been changed to storage of office records, pursuant to approved Alt. Applic. 1398/57, permitting the storage of office records on

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the 4th floor and requiring the 5th floor to remain vacant; that an amendment for the storage of office records and the decision herein appealed was issued by the Borough Superintendent on such amendment; and

WHEREAS, the applicant contends that the number of occupants of the building will be three, confined to the 1st floor; that there will be no permanent occupants on the upper floors; that the net floor area between firewalls does not exceed 2300 square feet on the 5th floor, which is divided into two sections by a firewall, which will have two openings protected with two 1½ hour automatic fire doors with fusible links on the 5th floor; that these openings will be remote from each other; that there will thus be two additional ways of getting out of the 5th floor, in addition to the fireproof enclosed stairway; that the Code permits a stairway to be 3 feet in width for area less than 4000 square feet; that nevertheless it is proposed to maintain the stairways 3 feet 8 inches wide from 1st to 3rd floors and the 3 feet required width from 1st to cellar; that there is no heating boiler in the building; that steam is obtained from an adjoining building under the same ownership; that because of the adequacy of the exits and the small number of occupants on each floor it is requested that this appeal be granted; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated July 16, 1958, acting on amendment to Alt. App. 1398/57, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the fifth story of the building to be occupied as proposed for the storage of office records, no persons, provided the lower four stories of the building as already permitted to be used by the Borough Superintendent meet his requirements; that the building shall not be increased in height or area; and that such portable firefighting appliances shall be maintained on the fifth floor as the Fire Commissioner shall direct.

845-57-A

APPLICANT—Sidney H. Kitzler, for Meyer Tucker, owner.

SUBJECT—Application November 21, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 171, subdivision 6 of the Multiple Dwelling Law re increase in Bulk and Volume subsequent to 1940.

PREMISES AFFECTED—91-97 West End Avenue and 101-103 Hampton Avenue, northeast corner, Block 7516, Lot 549, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidnev H. Kitzler.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 31, 1957, on Alt. Applic. 2005/57 reads:

"1. Bulk and Volume has been increased subsequent to 1940 which is contrary to Sec. 172 subd. 6 of the M.D.L."

WHEREAS, the applicant states that the building is 1 and 3 stories, 15 and 34 feet in height, 53 feet front by 37 and 35 feet in depth at street level, 20 feet front by 37 feet depth at typical floor level, of class 3 construction, erected 1920, located on a lot 53 feet front by 48 feet in depth, in a business use C area, class 1 height district, and used and occupied since 1920 and 1952 as follows: Cellar—boiler room; 1st floor—3 stores and dwelling, 1 family; 2nd floor—dwelling, 1 family; 3rd floor—dwelling, 1 family; that it is proposed to be altered and used and occupied as follows: cellar—boiler room; 1st floor—2 stores and dwelling, 2 families; 2nd floor—1 family; 3rd floor—dwelling, 1 family; that the building is provided with one 2 foot 8 inch wide interior wood stairs, enclosed in wood, equipped with wood doors which are not

self-closing; that stairhall leads direct to street and is provided with a ladder and scuttle to roof; that in addition there is one fire escape at the rear, extending to roof by ladder and to yard by ladder with egress through yard to street; and

WHEREAS, Certificate of Occupancy #134293 issued January 5, 1953 against Alt. Applic. 586/52, permits the following use and occupancy; cellar—boiler room; 1st floor—3 stores; 2nd floor—dwelling, 1 family; 3rd floor—dwelling 1 family; that this certificate of occupancy refers to No. 97 West End Avenue, north east corner of Hampton Avenue; and

WHEREAS, Certificate of Occupancy #28619 issued August 27, 1924, against N.B. Permit No. 558/23, for 93 to 97 West End Avenue, north east corner of Hampton Avenue, describes the building as 1—store and 2 family dwelling; and

WHEREAS, the applicant states that the site was improved with a 3 story brick building, 20 feet wide by 37 feet deep, erected prior to 1929 for use as a store on the 1st floor and 1 family each on the 2nd and 3rd floors; that this building was erected on the extreme northerly portion of the plot; that in 1952 a one story brick building was erected on the balance of the plot, extending from the 3 story building to the Hampton Avenue building line; that this building was occupied as 2 stores, each with a store room at the rear; that plans were filed and approved and the building was erected with an extension to the 3 story building, even though the plans indicated there was to be no access or other openings between the two buildings; and

WHEREAS, the applicant states that Alt. Applic. 2005/57 converts the building from stores and 2 families to stores and 4 families was denied on the grounds that the bulk and area of the 2 family dwelling was increased subsequent to 1940; and

WHEREAS, the applicant contends that since there are no openings between the 2 buildings, the bulk and area of the original 2-family dwelling has not been increased; that the Department would accept the condition conforming to law if the plot were reapportioned so that each building would be on its own lot; that if the actual physical condition would be legal, if the plot were reapportioned; that this condition should be accepted as now existing; that reapportionment cannot be accomplished because the yard and other open spaces required make it mandatory that the plot remain as a corner lot; and

WHEREAS, the applicant stated that he considers this appeal covers two buildings and requests that the Board act on the existing three-story building only; and

WHEREAS, the Board considers that there are two buildings and there is therefore no extension in bulk of the three story building; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 2005/57, Objection, No. 1 and that the appeal be and it hereby is *modified* to permit the Borough Superintendent to act on the two buildings separately and pass on the proposed altered use of the three-story building as a three-family dwelling, one family on each floor, plans being shown on drawings marked "Received November 21, 1957", 6 sheets, and "March 14, 1958", 1 sheet.

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent—re use of a frame building as factory; previously denied.

PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

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ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper .. 4
Negative: 0
Absent: Commissioner Kleinert 1

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Company, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent—re legal hood and chimney on range required; previously denied.

PREMISES AFFECTED—79-83 Pine Street, south side from Water to Pearl Streets, 128-132 Water Street and 164-168 Pearl Street, Block 39, Lots 8, 9, 10, 36 and 39, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Appeal reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

593-30-BZ—Vol. IV

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a residence use district, the extension of the area of the present gasoline service station and the added uses of minor auto repairs with hand tools only and parking of motor vehicles awaiting service.

PREMISES AFFECTED—219-02 Horace Harding Boulevard, southeast corner of 219th Street, Block 7609, Lot 1, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. IV on October 8, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 8, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved under Alt. Applic. 333-57 that all permits required, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.”

Note: Correction in line 17 of the resolution of the Board on October 8, 1957, as to the dimensions of the extension so as to read, 20 feet in width to the east in place of the words, 30 feet in width.

373-38-BZ—Vol. III

APPLICANT—George H. Colin, for Cities Service Company, owner.

SUBJECT—Application for consideration—reopening for

amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7h, 7f and 7i of the Zoning Resolution, permitting in a residence and business use district, the erection and maintenance of a gasoline service station, retail sales, lubritorium, auto laundry, motor vehicle repairs and the parking and storage of more than 5 motor vehicles.

PREMISES AFFECTED—1401-1409 Far Rockaway Boulevard and 1149-1161 Nameoke Street, southeast corner, Block 38, Lot 40, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Masher.

ACTION OF BOARD—Application reopened, resolution amended, time and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III on May 23, 1950, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on June 25, 1957; and

WHEREAS, the applicant requested an amendment of the resolution, extension of term of variance and time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 23, 1950, and as *amended* by resolution adopted through June 25, 1957, by adding thereto:

“that the time to complete may be extended under the requirements of Section 22A of the Zoning Resolution from this date (Alt. Applic. 4992/48); that the construction required by the Resolution as adopted by the Board under Volume III shall be in accordance with the plans as herewith submitted marked, ‘Received September 19, 1958,’ 4 sheets, in place of the plans as submitted under this resolution; and that the term of the variance may extend from this date for a term of 15 years in accordance with the Resolution above cited and as *amended* this day.”

101-45-BZ

APPLICANT—Latham C. Squire, for Bright Management, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the extension of a basement restaurant, by the erection of a one story addition at the rear.

PREMISES AFFECTED—311 West 48th Street, north side, 150 feet west of 8th Avenue, Block 1039, Lot 26, Borough of Manhattan.

APPEARANCES—

For Applicant: Latham C. Squire.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 17, 1945, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 17, 1945, by adding thereto:

“that in the event the new owner, Bright Management,

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Inc., desires to change the conforming use of the upper three stories of the building by combining the three upper floors into one residence unit in place of a separate unit per floor, such change may be permitted as passed on by the Borough Superintendent under Alt. App. 1585/57, Objection dated June 24, 1958, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as permitted by the Board under the above cited resolution."

822-45-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Max Blatman, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 25, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business use district, the change in occupancy from public market to laundry, curtain cleaning business.

PREMISES AFFECTED—1573-1575 McDonald Avenue, east side, 140 feet north of Avenue N, Block 6564, Lot 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on January 22, 1952, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 22, 1952 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." Alt. App. 404/51.

453-46-BZ—Vol. II

APPLICANT—Henry J. Nurick, for Herman Birnbaum, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution adopted June 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7A of the Zoning Resolution, permitting in a business and residence use district, the reconstruction of an existing gasoline service station for the following uses: office, lubricatorium, auto repairs with hand tools only, auto laundry and the parking of cars awaiting service with a curb cut and show windows within 75 feet of a residence use district.

PREMISES AFFECTED—3437-3445 Fort Hamilton Parkway and 2-12 Chester Avenue, southwest corner, Block 5302, Lot 48, Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on June 10, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 14, 1957, and thereafter amended through Resolution adopted June 10, 1958, by adding thereto:

"that the tree shown adjacent to the Chester Street building line as proposed on plans marked Received, October 2, 1958, 1 sheet, filed with this application to be retained may be taken down inasmuch as it interferes with the revised plans as to the location of the accessory building." (N.B. 1877/57)

950-50-BZ—Vol. II

APPLICANT—Salvatore A. Locurto, for Renato Sacchi and Michael DeGregario, owners. Pappy's Motors, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, permitting in a residence and local retail use district, the use of premises for the sale and display of used motor vehicles, for a term of 5 years.

PREMISES AFFECTED—1909 Bruckner Boulevard, northeast corner of White Plains Road, Block 3733, Lot 1 (formerly Lot 1, 2 and 4,) Borough of The Bronx.

APPEARANCES—

For Applicant: Salvatore A. Locurto.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on October 14, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on October 4, 1955; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 14, 1953 and as thereafter amended by resolution adopted through October 4, 1955 only so far as it refers to the term of variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision e for a term of 5 years from the date of this amended resolution, to permit.....; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a now certificate of occupancy to supersede a Certificate of Occupancy 178/42 shall be obtained and all work completed within six months from the date of this amended resolution." (Alt. App. 146/53.)

710-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Socony Mobil Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7A of the Zoning Resolution, permitting in a business and residence use district, the reconstruction of the existing stores, offices for a gasoline station, auto laundry and greasing pits and change the use to a gasoline service station, lubricatorium, car wash, minor auto repairs, store, parking and storage of motor vehicles on the unbuilt portion of the plot and having

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curb cuts, signs, entrances and show windows within 75 feet of the residence use district.
PREMISES AFFECTED—1915-1937 Linden Boulevard, 762-772 Pennsylvania Avenue, northwest corner and 761-771 Sheffield Avenue, Block 4322, Lot 22, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 30, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on April 15, 1958; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 30, 1957 by adding thereto:

“that in the event the owner desires to change the size of the accessory building from 101 feet, 6 inches by 27 feet, 8 inches to 106 feet, 3 inches by 29 feet, 8 inches as shown on revised plans marked, “Received August 14, 1958,” 5 sheets, and as passed on by the Borough Superintendent under N. B. 1544/56, Objection No. 4, dated August 8, 1958, such changes in size of accessory building may be permitted provided in all other respects the Resolution above cited is complied with.

671-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Ruth Gould, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 24, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7h and 7A of the Zoning Resolution, permitting in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, high speed laundry, office, store, parking and storage of motor vehicles in an unbuilt upon portion of the plot with the vehicular entrance and exit, windows and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1249-1265 Sutter Avenue, north side, from Euclid Avenue to Doscher Street, 566-578 Euclid Avenue and 167 Doscher Street, Block 4249, Lot 55, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 24, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 24, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Build-

ings, that all permits required, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N. B. App. 1543/56.)

1089-24-BZ—Vol. II

APPLICANT—Julius Bleich, for Reliable Operating Corporation, owner. Mauricos Company, Inc., lessee.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, permitting partly in a business district and partly in a residence district, the erection and maintenance of a garage for the storage of more than 5 motor vehicles.

PREMISES AFFECTED—529-533 West 134th Street, northwest corner of 532-534 West 135th Street, Block 1988, Lots 60 and 6, Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Bleich.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

962-28-BZ—Vol. II

APPLICANT—Unger & Unger for Sinclair Refining Company, owner.

SUBJECT—Application for consideration—reopening as Vol II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 21 of the Zoning Resolution, to permit in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—714 Jamaica Avenue, southwest corner of Richmond Street, Block 4102, Lot 27, Borough of Brooklyn.

APPEARANCES—

For Applicant: Michel Severin.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

545-44-BZ—Vol. III

APPLICANT—Max Siegel Associates, for All States Holding Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the change of occupancy on the 1st floor in the present 6 story structure from garage to showrooms.

PREMISES AFFECTED—415-23 East 53rd Street, south side, 194 feet east of First Avenue and 410-16 East 54th Street, Block 1365, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: John M. Hronec.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

659-50-BZ—Vol. IV

APPLICANT—Henry J. Nurick, for Jericho Sash & Door Company, owner.

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SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a business use, C area district, the erection of an additional building into part of driveway, for a term of 15 years, permitting woodworking equipment within the building, using more than the area permitted and with more than one building on the lot.

PREMISES AFFECTED—251-61 Jamaica Avenue, north side, 200.88 feet west of Little Neck Parkway, Block 8668, Lot 118, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Henry J. Nurick.

ACTION OF BOARD—Application reopened as Vol. IV, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton & Schneider Motor Sales, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in the residence use portion of a lot located in a residence and business use district, the extension of existing storage and parking of motor vehicles for customers cars and the parking of cars waiting to be serviced on existing gasoline service station and motor vehicle repair shop.

PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

325-52-BZ—Vol. II

APPLICANT—James J. Lyons, Jr. and John J. Lynch, for Maurice and Bernard Epstein, owners.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 21 of the Zoning Resolution, permitting in a residence use, E1 area district, more than one building on a lot and the conversion of two one-family attached dwellings to two two-family attached dwelling, with the front building without the required rear yard.

PREMISES AFFECTED—125 Beach 135th Street, west side, 712.22 feet south of 126 Beach 136th Street and Rockaway Beach Boulevard, Block 775, Lot 43, formerly 43 and 61, Borough of Queens.

APPEARANCES—

For Applicant: James J. Lyons, Jr.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

326-53-BZ—Vol. II

APPLICANT—Ludwig P. Bono, for Emil Fabrello, owner.

SUBJECT—Application for consideration—reopening as

Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, for a term of years, the erection and maintenance of a gasoline service station and oil selling station, lubrication, motor vehicle repairs and office.

PREMISES AFFECTED—1975 White Plains Road, west side, north of 653 Sagamore Street and 1980 Birchall Avenue, Block 4256, Lots 42, 43, 44, 45, 46 and 51, Borough of The Bronx.

APPEARANCES—

For Applicant: Ludwig P. Bono.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

178-57-BZ—Vol. II

APPLICANT—Hurley, Kearney & Lane, for Church of Our Lady of Grace at Howard Beach, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 9A and 21 of the Zoning Resolution, permitting in a class ½ height district, the erection of a building in excess of the height permitted within two miles of designated airport.

PREMISES AFFECTED—158-11 101st Street, southwest corner of 158th Avenue, Block 14170, Lot 1, Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Raymond J. Ryan.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

551-57-BZ—Vol. II

APPLICANT—Hurley, Kearney & Lane, for Samuel Eidelberg & Jeffery Rosenberg, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure and to supersede 478-58-BZ—re Application, decision of the Borough Superintendent; previously withdrawn, under section 7e of the Zoning Resolution, to permit the erection and maintenance of a gasoline service station, lubricatorium, car wash, storage and sale of accessory parts and office.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

ACTION OF BOARD—Application reopened as Volume II subject to regular procedure, and to rescind the incorrectly assigned Cal. No. 478-58-BZ.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

584-50-SM

APPLICANT—The New England Manufacturing & Supply Corp., owner.

SUBJECT—Application July 26, 1950—Dynamatic Silent-Close Door Control, approval of.

APPEARANCES—

For Applicant: Arthur M. Maritz.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 584-50-SM.

Subject: Dynamatic Silent-Close Door Control.

The New England Manufacturing and Supply Corporation, Milford, Connecticut, filed July 26, 1950 an application with the Board of Standards and Appeals for approval of the Dynamatic Silent-Close Door Control under the provisions of C26-178.O.b and C26-286.O Administrative Building Code and Section 107.2.c Multiple Dwelling Law.

Purpose

A self closing device for doors.

Description

The unit consists of two main parts; the power unit and the control cylinder. The construction throughout is zinc die casting (Zamac-3) except the cylinder which is of 21 gauge cold drawn steel tubing, machined to a tolerance of .001 for alignment and the plunger mechanism which is heat treated aluminum.

The power unit contains the torsion spring energizer and the power take-off shaft. The torsion spring is preloaded 180° at installation and the normal opening of a door to its full opening, will stress the spring to 270°.

The control cylinder consists of the cylinder pressure regulator chamber and the plunger mechanism. The outer end of the plunger shaft is secured to the door frame bracket which in turn is fastened to the top frame of the door.

On the plunger mechanism is a neoprene cup washer which gives a bearing against the cylinder thereby giving a tight air seal. The Neoprene washer is reinforced by internal and external washers.

Inspection and Test

A unit was inspected and tested at 60 Broadway, Manhattan, where the door closer has been in operation for approximately one year and the device showed no sign of fatigue or metal failure. Present at the inspection were J. A. Darts, of the Committee on Test and H.L.F. Nettleton, representing the applicant.

The applicant has also submitted a photostatic copy of a letter dated December 23, 1949 from the General Bronze Corp., addressed to the New England Mfg. and Supply Corp., in which they state that the closer had completed 44,300 cycles on the cycle machine.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the Dynamatic Silent-Close Door Control for use in New York City when manufactured and installed in accordance with this report on doors not requiring a fire resistive rating as meeting the requirements of Section 107.2.c of the Multiple Dwelling Law on condition that the appliance shall bear a label permanently affixed reading as follows:

"Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 584-50-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

770-45-SM

APPLICANT—Walter Maguire Company, Inc., owner.
SUBJECT—Application for consideration—reopening for test and report—re Cortland Emery Aggregate; previously approved.

APPEARANCES—

For Applicant: G. H. Hennegar.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Kleinert 1

814-50-SM

APPLICANT—Natco Corporation, owner.

SUBJECT—Application for consideration—reopening for test and report as to extension of use—re Natco Tex Dri-Wall Tile; previously approved.

APPEARANCES—

For Applicant: Joseph A. Donovan.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Kleinert 1

815-50-SM

APPLICANT—Natco Corporation, owner.

SUBJECT—Application for consideration—reopening for test and report as to extension of use—re Natco Dri-Speedwall Tile; previously approved.

APPEARANCES—

For Applicant: Joseph A. Donovan.

ACTION OF BOARD—Application reopened for test and report as to extension of use.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Kleinert 1

502-53-SM

APPLICANT—Smith & Kranzler Corporation, owner.

SUBJECT—Application for consideration—reopening for test and report—re Spraybest Retardent Steel Floor and Beam; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

851-52-SA

APPLICANT—Moritz Simon, for Simon Construction, owner.

SUBJECT—Application November 5, 1953—Simon Gas-fired Drying Oven, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn at request of the applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

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58-52-SM

APPLICANT—David R. Minkoff, for Protex-A-Cote, Inc., owner.

SUBJECT—Micalastic, approval of, sprayed-on textured surfacing, etc. for sidewalls.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

59-52-SM

APPLICANT—Protex-A-Cote, Inc., owner.

SUBJECT—4-Tify rust inhibitor, primer, etc. spray or brush, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

60-52-SM

APPLICANT—Protex-A-Cote, Inc., owner.

SUBJECT—Styrox waterproofing—by spray or brush, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

61-52-SM

APPLICANT—Protex-A-Cote, Inc., owner.

SUBJECT—Hi-Dri waterproofing agent, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

62-52-SM

APPLICANT—Protex-A-Cote Inc., owner.

SUBJECT—Protex-A-Cote chlorinated rubber base masonry coating to be applied by brush or spray, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

354-52-SM

APPLICANT—Johns-Manville Products Corp., owner.

SUBJECT—Application April 4, 1952—JM C-4-C Additive for Concrete and Mortar, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

37-53-SA

APPLICANT—Astral Industries, Inc., owner (Coudert Brothers, Agent).

SUBJECT—Application January 13, 1953—Astral Refrigerators, Models A1-T, A1-TW and A1-TB, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

52-53-SM

APPLICANT—Stephen E. Yakacki, for Sicco Waterproofing Co., owner.

SUBJECT—Application January 20, 1953—Sicco (plaster coat), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

76-53-SM

APPLICANT—Great Lakes Carbon Corp., for Perlite Institute, owner.

SUBJECT—Application January 14, 1953—Permalite Floor and Ceiling Construction (3 hr., fire-resistive ceiling), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

86-53-SM

APPLICANT—Jud Williams Inc., owner.

SUBJECT—Application January 27, 1953—Jud Williams Inc., Printed Dynel (drapery fabric), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Commissioner Kleinert 1

98-53-SM

APPLICANT—Aljay Products Inc., owner.

SUBJECT—Application January 30, 1953—Fire-Out (aerosol fire extinguisher), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

103-53-SA

APPLICANT—Autogas Co., owner.
SUBJECT—Application February 6, 1953—Republic Warm Air Furnace (gas-fired), Model 100F, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

122-53-SA

APPLICANT—Koppers Co., Inc., Metal Products Division, owner.

SUBJECT—Application February 20, 1953—Aeromaster Industrial Fan (for cooling towers, engine water jacket coolers, etc.), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

123-53-SM

APPLICANT—The Tile-Tex Division of The Flintkote Co., owner.

SUBJECT—Application February 13, 1953—Muratex (plastic-asbestos Wall Tile), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

127-53-SM

APPLICANT—Nova Sales Co., owner.

SUBJECT—Application December 15, 1952—Novamix-Novaproofing (waterproofing admixture for concrete and mortar), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

142-53-SA

APPLICANT—Synchronous Flame Co., owner.

SUBJECT—Application February 18, 1953—Syncro-Flame Power Gas Burners, Models SF-150, 300 and 500G, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

143-53-SA

APPLICANT—Synchronous Flame, Inc., owner.

SUBJECT—Application February 18, 1953—Syncro-Flame Dual Fuel Burners (gas-fired), Models SF-10, 20, 30, 40, 60 and 80, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

144-53-SM

APPLICANT—Veriset Corporation, owner.

SUBJECT—Application February 19, 1953—Veriset (all purpose mortar and concrete and additive), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

184-53-SA

APPLICANT—Hevi Duty Electric Co., owner.

SUBJECT—Application March 13, 1953—Hevi-Duty Carburetor-Nitridizer (for carburizing or nitriding steel), approval of Models HD-1020; 1225, 1430, 1460, 1472, 1824, 1836, 1848, 1860, 1872, 2436, 2448, 2472, 2484, 3636, 3648 and 3672.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

197-53-SA

APPLICANT—Crosley Distributing Division of Avco Manufacturing Co., owner.

SUBJECT—Application March 16, 1953—Crosley Room Air Conditioner, Models ACD-50, ACD-75, ACD-33, ACE-33-21, ACE-50-21, ACE-50-23, ACE-75D-33, ACE-75D-23, ACE-75D-21, ACE-75S-33, ACE-75S-21 and ACE-100-33, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

214-53-SM

APPLICANT—Charles M. Spindler, for L. E. Carpenter & Company, owner.

SUBJECT—Application March 24, 1953—Viertex (fabric wall covering), approval of.

MINUTES

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

216-53-SA

APPLICANT—Hevi Duty Electric Co., owner.

SUBJECT—Application March 24, 1953—Hevi-Duty Convection Furnace (Pit type); Models HD-1216-CUA; 1620-CUA; 1830-CUA; 2226-CUA; 2236-CUA; 2828-CUA; 6072-CUA; 2836-CUA; 2848-CUA; 3636-CUA; 3648-CUA; 3672-CUA; 4848-CUA; 4872-CUA; approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

226-53-SM

APPLICANT—Mearl Manufacturing Corp., owner.

SUBJECT—Application March 27, 1953—Mearlcrete P (to be used with cement, gypsum, etc. for insulation purposes), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

230-53-SA

APPLICANT—Avco Manufacturing Corp., Bendix Home Appliances Division, owner (Bruno-New York, Inc., Agent).

SUBJECT—Application April 6, 1953—Bendix Automatic Clothes Dryer, Model E-805, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

242-53-SM

APPLICANT—Capitol Fireproof Door Corp., and American Steel Buck Corp., owners.

SUBJECT—Application March 30, 1953—Capitol-American 1½ Hr., Flush Kalamein Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

257-53-SA

APPLICANT—Pantex Manufacturing Corp., owner.

SUBJECT—Application April 1, 1953—Pantex Air Oper-

ated Dry Cleaning Press, Model CA-41-O, 45-O, SW-45, SW-41, M-52, M-24, M-441 and 19DO, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

267-53-SA

APPLICANT—E. W. Walters, for Evis Manufacturing Co., owner.

SUBJECT—Application April 6, 1954—Evis Water Conditioner, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

299-53-SA

APPLICANT—Avco Manufacturing Corp., Bendix Home Appliances Division, owner (Bruno-New York, Inc., Agent).

SUBJECT—Application April 15, 1953—Bendix Duomatic Washer-Dryer Model CCR, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

300-53-SA

APPLICANT—Avco Manufacturing Corp., Bendix Home Appliances Division, owner (Bruno-New York, Inc., Agent).

SUBJECT—Application April 20, 1953—Bendix Automatic Dryer, Models DCE and DDE, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

305-53-SM

APPLICANT—Cement Enamel of New York, for Cement Enamel of America, Inc., owner.

SUBJECT—Application April 24, 1953—Cement Enamel, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

358-53-SM

APPLICANT—United States Plywood Corporation, owner.

SUBJECT—Application April 1, 1953—Zeprex (roof slabs, floor slabs, blocks and partitions), approval of.

MINUTES

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

409-53-SM

APPLICANT—Schiffer Prints, Division of Mil-Art Co., Inc., owner.

SUBJECT—Application May 18, 1953—Saran-Dynel Print 360/1 Pattern, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

410-53-SA

APPLICANT—Thor Corporation, owner (Agent, E. B. Latham and Co.).

SUBJECT—Application May 15, 1953—Thor Non-Automatic and Automatic Washers, Models 254 and 453, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

414-53-SA

APPLICANT—Avco Manufacturing Corp., Bendix Home Appliance Division, owner (Crosley Distributing Corp., Agent).

SUBJECT—Application May 20, 1953—Crosley Automatic Dryers, Models CDF-N and CDF-NI, standing pilot and DCF-NA and DCF-IA, auto. ignition (gas-fired, clothes dryers), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

424-53-SA

APPLICANT—American Radiator & Standard Sanitary Corp., owner.

SUBJECT—Application May 25, 1953—Pawnee Winter Air Conditioner, Model SH-40, SHC-60, SHC-80 and SHC-100, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

443-53-SM

APPLICANT—Cornelius Pope, United States Agent, for Hermann Milke, K. G., owner.

SUBJECT—Application May 27, 1953—Milke Portland Cement, mfd. in Soest/Westf., Germany, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

457-53-SA

APPLICANT—Donnelly Products Co., Inc., owner.

SUBJECT—Application June 9, 1953—Donnelly Backflow Preventer and Vacuum Breaker, No. 5VB, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

487-53-SA

APPLICANT—Avco Manufacturing Corp., Bendix Home Appliances Division, owner (Crosley Distributing Corp., Agent).

SUBJECT—Application June 8, 1953—Crosley Automatic Washers, Customatic Model CWF and Deluxamatic Model LWF, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

491-53-SA

APPLICANT—The Scooter Coffee-Mat Corporation, owner.

SUBJECT—Application June 16, 1953—Scooter Coffee-Mat (coin operated) Beverage Dispenser, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

501-53-SA

APPLICANT—Avco Manufacturing Corp., Bendix Home Appliances Division, owner (Crosley Distributing Corp., Agent).

SUBJECT—Application June 3, 1953—Crosley Automatic Dryer (electric), Model CDF-E, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

MINUTES

506-53-SA

APPLICANT—Metropolitan Sales Co., Agent, for Utility Appliance Corp., owner.

SUBJECT—Application June 17, 1953—Utility Horizontal Forced Air Furnace (gas-fired), Models 65H and 90H, 115H and 140H approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

524-53-SM

APPLICANT—Metal Lath Manufacturers Assn., for Inland Steel Products Co., owner.

SUBJECT—Application June 30, 1953—Inland Steel Products Co., Studless Metal Lath and Plaster Hollow Partition, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

525-53-SM

APPLICANT—Metal Lath Manufacturers Assn., for Wheeling Corrugating Co., owner.

SUBJECT—Application June 30, 1953—Wheeling Corrugating Co., Studless Metal and Plaster Hollow Partition, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

526-53-SM

APPLICANT—Metal Lath Manufacturers Association, for Penn Metal Co., Inc., owner.

SUBJECT—Application June 30, 1953—Penn Metal Co., Inc., Studless Metal Lath and Plaster Hollow Partition, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Kleinert 1

528-53-SM

APPLICANT—Metal Lath Manufacturers Association, for United States Gypsum Co., owner.

SUBJECT—Application June 30, 1953—USG Studless Metal Lath and Plaster Hollow Partition, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

527-53-SM

APPLICANT—Metal Lath Manufacturer's Association for Alabama Metal Lath Co., Inc., owner.

SUBJECT—Alabama Metal Lath Co., Studless Metal Lath and Plaster Hollow Partition, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

531-53-SA

APPLICANT—McDowell Sprinkler Corp., for Star Sprinkler Corp., owner.

SUBJECT—Application June 29, 1953—Star Spray Sprinkler, Model SC-U (upright) designation now termed Model C, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

560-53-SA

APPLICANT—Acme Laboratory Equipment Co., owner.

SUBJECT—Application July 21, 1953—Acme Electric Constant Temperature Drying Oven, Series 101-00.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

651-53-SA

APPLICANT—S and S Vending Machine Co., owner.

SUBJECT—Application August 28, 1953, S and S Vending Stations, Models 16 and 20, Nos. 1 to 4 and letters A to O, inclusive, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

656-53-SA

APPLICANT—Incinerator Products Co., owner.

SUBJECT—Application August 11, 1953—IPC Incinerator, Series P, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

667-53-SM

APPLICANT—Keasbey and Mattison Co., owner.
SUBJECT—Application September 3, 1953—Keasbey and Mattison Korruther M Insulating Roof Slabs, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

724-53-SM

APPLICANT—Silver Troy Industries, owner.
SUBJECT—Application October 5, 1953—Siltrospray (sprayed insulation), approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

729-53-SM

APPLICANT—The Goldsmith Metal Lath Co., owner.
SUBJECT—Application October 6, 1953—Metrodeck (metal Roof Deck), approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

743-53-SM

APPLICANT—Tidewater Associated Oil Co., for Plasti-Line Inc., owner.
SUBJECT—Application September 25, 1953—Plasti-Line Interior Illuminated Sign with Plexi-Glas faces, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

745-53-SM

APPLICANT—S. C. Swallow Inc., owner.
SUBJECT—Application October 15, 1953—Swallow Roof Cement, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

747-53-SM

APPLICANT—Fyr-Kote Division of Morris Paint and Varnish Co., owner.
SUBJECT—Application October 15, 1953—Fyr-Kote Fire Retardant Paint, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

766-53-SA

APPLICANT—Kellogg and Kennedy, Inc., Agent, for Timm Industries, Inc., owner.
SUBJECT—Frank-O-Mat, Model 122 (dispenser of hot sandwiches), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

767-53-SA

APPLICANT—Prometheus Electric Corp., owner.
SUBJECT—Application October 20, 1953—Prometheus Pressure Water Sterilizer (steam heated), Model 1333, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

777-53-SM

APPLICANT—Henry J. Hassenberg Co., Agent, for Cementa of Malmoe, Sweden, owner.
SUBJECT—Application October 27, 1953—Cementa (Portland Cement for general concrete construction), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Commissioner Kleinert 1

806-53-SM

APPLICANT—Akona Sales Division, Waterproofers, Inc., for Akona Chemical Corp., owner.
SUBJECT—Application October 2, 1953—Akona Sealer-Paint, Trade Mark #543330, approval of.

APPEARANCES—

For Applicant: None.

MINUTES

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

827-53-SA

APPLICANT—Peerless Pump Division of Food Machinery and Chemical Corp., owner.

SUBJECT—Application September 24, 1953—Peerless Vertical Fuel Pumps (for pumping fuel from storage tanks), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

863-53-SM

APPLICANT—B. G. Forman Co., Inc., owner.

SUBJECT—Application December 4, 1953—Polyclad (surfacing material for interior and exterior masonry), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

872-53-SM

APPLICANT—Mohawk Fireproof Door Corp., owner.

SUBJECT—Application December 9, 1953—Mohawk Fireproof Kalamein one and one-half Hour Door, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

901-53-SA

APPLICANT—Gasinator Manufacturing Co., owner.

SUBJECT—Application December 14, 1953—Gasinator (gas disposal unit), Models 101 and 500, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

924-53-SA

APPLICANT—National Heater Co., Inc., owner.

SUBJECT—Application December 23, 1953—National Champion (floor type), gas-oil combination Forced Warm Air Heaters, Models TD-20, 30, 25, 40, 50, 70, 80, 100, 125, 150, 175 and 200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

935-53-SM

APPLICANT—Jay R. Smith Manufacturing Co., owner.

SUBJECT—Application December 29, 1953—Jay R. Smith Oil Interceptor (Separator), Series O. I., approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

937-53-SM—Vol. II

APPLICANT—Gypsum Association for Newark Plaster Co., owner.

SUBJECT—Application reopened February 2, 1954—as Vol. II—Old Newark Perlite Plaster and Old Newark Perforated Gypsum Lath as fire resistive suspended ceiling under cellular steel floor or structural steel, approval of.

APPEARANCES—

For Applicant: None.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

335-53-SA

APPLICANT—Surface Combustion Corp., owner.

SUBJECT—Application reopened June 5, 1956 for test and report as to additional models—re Janitrol Gas-fired Duct Furnace, Models 85, 94, 100, 125, 175, 225, and 450; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

356-49-SA—Vol. I

APPLICANT—Whirlpool Corporation, owner-manufacturer.

SUBJECT—Application reopened June 24, 1952 as Vol. II—new ownership—re Kenmore Domestic Automatic Clothes Washing Machine, Models 110.93532, 110.93533, 110.93535, 110.93542, 110.93543 and 110.93545, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

Adjourned 4:05 P.M.

JOSEPH J. DOYLE, Chief Clerk.

RULES

Fire Drill Rules, Adopted by the Board of Standards and Appeals, October 5, 1923

(593-23-SR)

DEFINITION OF "FIRE DRILL"

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1.

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenants shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION

Premises
Name of concern.....
Building No.Story.....

FOREMAN OR PERSON IN CHARGE

Regular	Substitute
.....	

WATCHMAN

.....	
.....	

MALE SEARCHER

.....	
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FEMALE SEARCHER

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STREET ALARM BOX RUNNER

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FIRE BRIGADE

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EXIT GUARDS

Exit.....	
"	
"	
"	
"	

Squad Monitors

.....	Squad No. 1.....
.....	" " 2.....
.....	" " 3.....
.....	" " 4.....
.....	" " 5.....
.....	" " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captain's) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET-ALARM-BOX-RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the Fire Department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways, and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory,

and drills shall be conducted at least twice, each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNERS, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs, requiring winding are rewound after each alarm and kept in normal condition for operation.

Rule 11. Duties of Engineer.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc. are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills, showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

Applicants, under the zoning resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying proper owners, they may obtain such

copies at the office of the Board of Standards and Appeals, at 80 Lafayette Street, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

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2770 and 3020-3024.

Address all communications to the Chairman

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COURT DECISION

Matter of Bram vs. Board of Standards & Appeals of City of N. Y.:
—On November 13, 1957, the Board denied an application under
Section 7, Subdivisions e and h of the Zoning Resolution to permit in
a local retail use district the erection and maintenance of a gasoline
service station, lubricatorium, office and sales, parking and storage of
motor vehicles, car washing, minor auto repairs for a stated term of
20 years; Cal. No. 124-57-BZ, Premises 1048-1072 New Lots Avenue,
south side, from Logan to Milford Streets, 662-672 Logan Street,
389-393 Milford Street and 1147-1169 Dumont Avenue, Borough of
Brooklyn.

At Special Term, Supreme Court, Kings County, Mr. Justice
Beckinella sustained the Board in the following decision: (New York
Law Journal May 29, 1958, page 11):

"Motion by respondent for an order vacating an order of
certiorari, affirming the determination of respondents and dis-
missing the petition herein. Petitioner, owner of a plot of vacant
land, in a local retail use district, filed an application with re-
spondent board for a variance of the use district regulations
under section 7, subdivisions e and h of the Zoning Resolution,
to permit erection and maintenance of a gasoline station. After
a hearing and an inspection of the premises respondent board
found that there was no justification for the exercise of dis-
cretion to grant the application. The application was denied.
Respondent upon the argument of the motion requested the court
to disregard petitioner's replying affidavit on the ground that
there is no authority for the service or consideration of such af-
fidavit. The court, in considering the proceeding under review,
is limited to the return plus such additional proof as it deems
necessary. There is no necessity or authority for a replying
affidavit (see Davis Engineering Corp. v. Murdock, New York
Law Journal, June 11, 1946, p. 2314, col. 2; Seinfeld v. Murdock,
2 Misc. 2d 525). The court has, therefore, disregarded the
replying affidavit. The court may not overrule the exercise by
the Board of Standards & Appeals of its power in the field
unless there be clear abuse of discretion (Matter of Dunne v.
Walsh, 235 App. Div. 72). Nor may the court substitute its
judgment for that of the Zoning Board unless the latter acted
arbitrarily (People ex. rel. Sullivan v. McLaughlin, 266 N. Y.
519). It may not be said on this record that the determination
of respondent is arbitrary or capricious or contrary to law. The
determination of respondent is affirmed, the order of certiorari
vacated and the petition dismissed. Settle order on notice."

At Supreme Court Special Term Part I, Mr. Justice Beckinella
decided as follows:

"Motion for leave to reargue denied. The court having read
petitioner's affidavit on this motion for leave to reargue finds no
basis for granting such leave. The charges set forth therein
might more properly be laid before some other governmental
agency, for instance the district attorney. In granting or denying
certiorari the court may do so only on what is contained in the
record. Settle order on notice." (N. Y. Law Journal, October
3, 1958, page 14):

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held at 80 Lafayette Street, Borough of
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158-57-BZ.

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DOCKET

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Cal. No. Dept. Premises Affected

580-58-BZ—B.M.—698 2nd Avenue, east side, 32 feet, $\frac{3}{4}$ inches south of East 38th Street, Block 943, Lot 60, Borough of Manhattan, Alt. 1024-58—re business use—workshop in 1st story, rear, local retail use district.

581-58-BZ—B.Q.—23-13 Broadway, north side, 125.31 feet east of 23rd Street, Block 567, Lot 19, Long Island City, Borough of Queens, Alt. 1257-58—re garage for 3 cars, not accessory to dwelling—business and residence use district.

582-58-BZ—B.Q.—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens, Alt. 2042-58—re parking of cars for patrons of restaurant, fee charged, etc.—residence use district.

583-58-SM—Indiana Brass Co., Inc., Anti-Siphon Float Valve, Model 107, manufactured by Indiana Brass Co., Material.

584-58-BZ—B.B.—1362-1364 50th Street, south side, 140 feet west of 14th Avenue, Block 5649, Lots 32 and 33, Borough of Brooklyn, Alt. 3005-58—re parking of patrons cars—no fee charged—residence use district.

585-58-BZ—B.Bx.—915 Clarence Avenue, west side, 96.08 feet north of Lafayette Avenue, Block 5468, Lot 18, Borough of The Bronx, Alt. 776-58—re parking lot for more than 5 motor vehicles—residence use district.

586-58-A—B.M.—101-103 Wooster Street, west side, 125 feet north of Spring Street, Block 501, Lot 28, Borough of Manhattan, Alt. 825-57—re egress, etc.

587-58-BZ—B.Q.—95-14 Sutphin Boulevard, west side, 66 feet and 100.10 feet south of Atlantic Avenue, Block 10026, Lot 12, Jamaica, Borough of Queens, Alt. 2118-58—re area excessive—Unrestricted use, D area district.

588-58-A—F.D.—17 Union Square West, northwest corner of East 15th Street, Block 843, Lot 20, Borough of Manhattan, Decision re Order No. 2447-8—re hydrogen and oxygen hose connections to be of type for hazardous gases; discontinue use of open flame; glass blowing unit to be of approved type, etc.

589-58-BZ—B.Q.—157-11 Linden Boulevard and 148-44 158th Street, northwest corner, Block 12175, Lots 83, 86, 88 and 182, Jamaica, Borough of Queens, N.B. 2798-58—re ornamental iron shop, office, welding, etc.

590-58-A—B.B.—263-273 Livingston Street and 22-30 Hanover Place, northwest corner, Block 160, Lot 29, Borough of Brooklyn, Alt. 2648-58—re escalators.

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140-49-A—Vol. III—B.Q.—35-45 223rd Street, east side, 152.8 feet north of 37th Avenue, Block 6192, Lot 68, Bay-side, Borough of Queens, Alt. 1661-58—re extension of use to cellar.

180-46-SM—American Welded Wire Fabric, for concrete reinforcement, manufactured by American Steel and Wire Co., of New Jersey, reopened for test and report for use of wire of heavier gauge, Material.

148-50-SM—Gold Bond Insulation Roof Boards, manufactured by National Gypsum Company, reopened for report as to new size of edge strip, Material.

313-54-SM—Gold Bond Asbestos Siding Shingles and Accessories—for exterior finish on Class 4 buildings, manufactured by National Gypsum Company, reopened for report as to change of facing of shingle, Material.

92-54-SA—The Spee-Flo Pressurematic Paint Heater, Models 300-A, 300-B, 600-A, 300-A-PA, 300-A-PE, 600-A-PA, 600-A-PE, 300-AR and 600-AR, manufactured by The Spee-Flo Manufacturing Corp., reopened for report as to modification of cover, Appliance.

568-51-SM—Erydo Alloy Zinc Cavity Wall Tile, Model 148-EA, manufactured by Hohmann and Barnard, Inc., reopened for report as to modification of anchor, Material.

160-49-SM—Vol. II—Long-Flex Gas Stove Connector, manufactured by Flexible Connector Co. of America, reopened for report as to modification of connector, Material.

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Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
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Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
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Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	Sept. 7, 1948—Vol. 33, No. 36

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Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
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Wire Glass Rules (Amendment to Rule 505 of Industrial Code) ..	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—	July 11, 1958.

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories, Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

OCTOBER 21, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 21, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor on an existing masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175-12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 and 89-58—239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Borough of Queens.

364-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Jeanne S. DiLoreto, owner.

SUBJECT—Application June 6, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, D area district, the erection of a one story extension occupying more than the permitted area.

PREMISES AFFECTED—80-21 to 80-23 164th Street, east side, 60.43 feet north of 81st Avenue, Block 7014, Lot 26, Flushing, Borough of Queens.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling that exceeds the permitted area coverage, exceeds the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest

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corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

Hearing continued from October 7, 1958, to October 21, 1958, applicant to file corrected plans and record of permits in the Building Department.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, C and D area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

Postponed from September 17, 1958, to September 30, 1958, at request of objector; then to October 21, 1958, for inspection and decision; hearing closed.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and

spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schiott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area; then to October 21, 1958, for applicant to send out notices by regular mail and for inspection.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and

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basement building, from church and mission rooms, recreation rooms and offices to business offices and show-rooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

153-58-A

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—Appeal from a decision of the Borough Superintendent, re winders in required stairway.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubritorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e & 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Ave-

nue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

245-58-A

APPLICANT—Lama, Proskauer and Prober, for Edward and Leonard Sessa, owners.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re change from theatre to catering, requires removal of marquee.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

163-58-BZ

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

164-58-A

APPLICANT—John Jacob Gibson, owner.

SUBJECT—Application March 26, 1958—Appeal from a decision of the Borough Superintendent re cellar occupancy as Laboratory-Frame Building.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129'0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; applicant to file additional plan showing school and playground entrances and exits on all streets; and for the Board of Education to report as to conditions of the school after hours and information as to the number of children from kindergarten to sixth grade; hearing closed.

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park Lane South, Block 8890, Lot 1, Glendale, Borough of Queens.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning

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Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises.

PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an eleemosynary and charitable foundation and in part by doctors, offices for the practice of medicine as a group, including the owner with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

Laid over from October 7, 1958, to October 21, 1958, for inspection and decision; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an "F-1" area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an "F-1" district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration; each side may file reply by briefs only; then to October 7, 1958, decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 21, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October 21, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

108-57-SM

APPLICANT—J. J. Helff, for Perfect Seal Manufacturing Company, owner.

SUBJECT—Application February 4, 1957—Perfect Seal Acoustical Tile, approval of.

402-57-SA.

APPLICANT—Heil-Quaker Corporation, owner.

SUBJECT—Application May 6, 1957—Heil Gas-fired Conversion Burners, Models GCB-1A, GCB-1, GCB-2, GCB-3 also to be marketed by Sears, Roebuck & Co. as Homart Gas-fired Conversion Burner, Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112, approval of.

505-57-SA

APPLICANT—Edwards Engineering Corp., owner.

SUBJECT—Application June 12, 1957—Spi-Rol-Fin Gold Crown Gas-Fired Hot Water Boiler, Models 600G and 750G, approval of.

653-57-SM

APPLICANT—Owens-Illinois Plywood Company, owner.

SUBJECT—Application August 8, 1957—Owens-Illinois Fire Door, approval of.

744-57-SM

APPLICANT—Farr Company, owner.

SUBJECT—Application September 26, 1957—Far-Air Grease Eliminators—for ventilation hoods in commercial kitchens, approval of.

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841-57-SA

APPLICANT—John Gabel, for Wilmot Castle Company, owner.
SUBJECT—Application November 4, 1957—Imperial Bed Pan Washer, Models 1, 2 and 3, approval of.

1038-57-SA

APPLICANT—Liberty Combustion Corporation, owner.
SUBJECT—Application November 29, 1957—Liberty Inshot Conversion Gas Burner, Models LIB150SB, LIB150LC, LIB150SC, LIB150LB, LIB200SC, LIB200SB, LIB225LC and LIB200LB, approval of.

411-58-SM

APPLICANT—Time Saving Fills, Inc., owner.
SUBJECT—Application June 30, 1958—Speed-Kleen Fills, Models 2200, 2200M45, 2200F45 and 3200, approval of.

490-58-SA

APPLICANT—Janitrol Division, Surface Combustion Corp., owner.
SUBJECT—Application August 18, 1958—Janitrol Oil-fired Conditioners, Series OFLS, OFVS, OFDS, and OFHS, approval of.

115-32-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional model "K" oil burner—re Wayne Oil Burner, Model OM and G; previously approved.

800-39-SM—Vol. IV

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Application reopened July 15, 1958 for amendment of resolution as to additional uses of USG Audicote for fireproofing cellular steel floors and beams—re USG Red Top Cement Plaster, fibered, unfibered, extra fibered; USG Red Top No. 1 Moulding Plaster; USG Red Top Special Cement Plaster; USG Structo-Base Plaster, Structo-Gauge Plaster, Structo-Trowel Plaster; USG Sabinite M, USG Sabinite Float Finish and USG Sabinite Trowel Finish, USG Structural Base Coat, USG Structural Gauging Plaster and USG Structural Trowel Finish Plaster, USG Perfortable Sabinite; previously approved.

1016-39-SM—Vol. III

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional trade name—re Gold Bond Acoustamatic Tile, Gold Bond Insulation Tile and Gold Bond Insulation Plank; previously approved.

91-40-SA—Vols. I, II, III, IV, V.

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Purox Welding Blowpipes, Prest-O-Weld Welding Blowpipes, Prest-O-Weld Cutting Blowpipe; previously approved.

448-40-SM

APPLICANT—H. H. Robertson Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to method of attaching side joints of adjacent units—re Robertson Keystone Beam Steel Floor and Robertson Cellular Steel Floor; previously approved.

128-41-SA

APPLICANT—American Furnace Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of suspended oil-fired furnaces, namely 28-OC and 33-OC—re Afco Ceiling Mounted, oil-fired Air Conditioning Unit, Models 12-OC and 23-OC; previously approved.

341-44-SM

APPLICANT—Research Products Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to extension of use—re Research Air Filter, Series No. 230, Dry Type; previously approved.

160-47-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of gasoline dispensers 96 BHG and 98BHG—re Gilbert and Barker Gasoline Dispensing Pumps, Models M96HG, M96ER, M98HG, M101, 96HG, 98HG, M-96HGRC and M-98HGRC; previously approved.

809-47-SA

APPLICANT—Fullerton Equipment Corp., for Roberts-Gordon Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional model of gas conversion burner, Model 400-Z—re Roberts-Gordon Gas Burners, Models 400-Z-2, Types H and PH; previously approved.

866-47-SA

APPLICANT—The Linde Air Products Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Oxweld Cutting Blowpipe (various models) and Purox Cutting Attachment Type No. 35 and Type No. CW202; previously approved.

899-47-SA

APPLICANT—Bryant Division of Carrier Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of Gas-Fired Forced Air Furnaces, namely Model 385—re Bryant Winter Air Conditioner; previously approved.

829-48-SA

APPLICANT—The York Shipley Inc., owner. The Nu-Way Corp., former owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership—Models J, K, L, H, CO, IXL and trade names Afco, Bard Leeson, Meyer, Power Oil, Rudy, Thatcher, Waterbury, Fitzgibbons, Mueller Climatrol, Bryan Steam Round Oak, Perfectaive, General Electric, Shepherd, Frontier, Ingersoll, Janitrol, Milwaukee Supreme, Oil Electric, Queen City, Permaglas, Spencer Heater, Weil-McLain, Sooner, Sun, Patten, Synchronomatic, Meridian, Repco, Thermo Oil-O-Matic, Chrysler, Airtemp, Certified Oil, Hall-Neal Victor, J & C, Fire Power-O-Matic, McDonald and Silver Seal Oil Burners; previously approved.

865-48-SM—Vol. II

APPLICANT—H. H. Robertson Company, owner.
SUBJECT—Application reopened January 8, 1957 for amendment of resolution as to additional sections of roof deck—re Robertson Q-3 and Q-12 Roof Deck and Siding Material; previously approved.

241-50-SA

APPLICANT—York-Shipley Inc., owner. Jackson & Church Company, old owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership—re Jackson & Church Oil-fired Suspension Units (various models); previously approved.

229-50-SA

APPLICANT—Iron Fireman Mfg. Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to change of ownership of Scaife Company—re models GCT-150, GCT-200 and GCT-300 Gas Conversion Burners, GBG-90, GBG-112, GBG-135, GBG-157, GBG-180, GBD-135, GBD-202, GBD-270, GBD-337 and

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GBD-405 Gas-fired Boilers, GFJ-75, GFJ-100, GFJ-125, GFL-150, GFL-175, GFL-200, GFK-75, GFK-100, GFK-125, GFU-65, GFU-95, GFU-125, GFW-65, GFW-95, GFW-125, GFV-65, GFV-95 and GFV-125, Timken Silent Automatic Gas Burners, Models GFD-60, GFD-80, GFD-107, GFH-56, GFH-80, GBB-60 and GBR-80; previously approved.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional trade names—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

499-50-SA

APPLICANT—Bryant Manufacturing Company, for Affiliated Gas Equipt., Inc., owner.
SUBJECT—Application for a reopening and amendment of resolution as to new Model designations, namely Model 387—re Bryant Gas-fired Winter Air Conditioner, Model BA 87; previously approved.

350-51-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re ABC Oil Burner, Model 40, Thatcher Furnace Co. under name of Thatcher Oil Burner, Models 751-1, 751-2 and 751-3, Mt. Hawley Div. 1 of Bryant Mfg. Co.—Mt. Hawley Div. Model 40 Oil Burner; previously approved.

211-53-SA

APPLICANT—Speed Queen Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of washing machines, namely A20A, A20C, A20CF, A24, A24W, A25, A25F, A201 and A201F—re Speed Queen Automatic Washer (domestic type) Models A10, A11, A12, A18, A19, A20, A21, A22, A21W, A22W and A20F; previously approved.

489-54-SA

APPLICANT—Delco Appliance Div. of General Motors Corporation, owner.
SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc., under Petroleum, Heat & Power Co., Models D-2 and D-3, Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

580-54-SA

APPLICANT—York-Shipley, Inc., owner.
SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Jackson and Church Gas-fired Suspended Units, Models GA-350 and GA-450; previously approved.

199-55-SA—Vols. I & II

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional use—re Oxweld W-45 Welding Blowpipe and Oxweld CW-45 Cutting Attachment; previously approved.

989-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104BD, 104BDRC, 104BDHG and 104BDHGRC—re Gilbarco Dual Gasoline Dispensing Pump, Model 104D and 104DSA; previously approved.

990-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104B, 104BRC, 104BHG and 104BHGRC—re Gilbarco Single Gasoline Dispensing Pump, Model 104 and 104HG; previously approved.

385-56-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1006B, 1004B, 1002B, 1006BRC, 1004BRC, 1002BRC, 1006BHG, 1004BHG, 1002BHG, 1006BHGRC, 1004BHGRC and 1002BHGRC—re 1006HG, 1004HG, 1002HG, 1006HGRC, 1004HGRC and 1002HGRC, Gilbarco Calco-Meter Electric Gasoline Dispensers, Models 1002, 1004 and 1006 and Gilbarco Remote Control Gasoline Dispenser, Models 1006RC, 1004RC and 1002RC; previously approved.

720-56-SA

APPLICANT—Burnham Corporation, Boiler Division, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas boiler "Holiday 70"—re Holiday No. 60 Gas Boiler, Models 4-60, 5-60, 6-60, 7-60, 8-60, 10-60 and 12-60; previously approved.

208-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1003B, 1005B, 1007B, 1003BRC, 1005BHG, 1007BHG, 1003BHGRC, 1005BHGRC and 1007BHGRC—re Gilbarco Gasoline Dispensers, Models 1003, 1003RC, 1003HG, 1003HGRC, 1005, 1005HG, 1005RC, 1005HGRC, 1007, 1007HG, 1007RC and 1007HGRC single standard, remote control, high gallonage; previously approved.

268-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1026B, 1026BRC, 1016B and 1016BRC—re Gilbarco Gasoline Dispensers, Models 1026, 1025RC, 1016 and 1016RC; previously approved.

359-57-SA

APPLICANT—H. A. Simmons for Empire Stove Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas-fired heater, namely WFA-50-Wall Heater—re Empire Gas-fired Recessed Wall Heater, Model WFA-35; previously approved.

412-57-SM

APPLICANT—National Screw & Manufacturing Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to marking of bolts—re High Strength Structural Bolts; previously approved.

554-57-SA

APPLICANT—General Fittings Company, owner.
SUBJECT—Application for a reopening and amendment of resolution as to additional models of electric preheater and permission to market under additional trade names—re General Fittings Electric Oil Immersion Heater, previously approved.

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1001-57-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 49RC and 49-TP-RC—re Tokheim Remote Control Gasoline Pumping Units, Models 45-RCP and 46-RCP and Tokheim Island Dispensing Pedestals, Models 45-H-RC and 45-TP-RC; previously approved.

662-57-SM

APPLICANT—E. K. Lofberg for Corning Glass Works, owner.

SUBJECT—Application August 22, 1957—Pyrex Brand Glass Pipe, approval of.

91-58-SM

APPLICANT—Wilcox-Woolford Corporation, owner.

SUBJECT—Application February 5, 1958—Furnaflex; wood veneer for Interior walls, approval of.

176-58-SM

APPLICANT—Temp-Resisto Drapery Corporation, owner.

SUBJECT—Application November 7, 1957—Temp-Resisto Drapery Lining, approval of.

339-58-SA

APPLICANT—American Radiator & Standard Sanitary Corporation, owner.

SUBJECT—Application May 23, 1958—American Radiator & Standard Sanitary Corporation Inshot Gas Conversion Burner, Models IN-150, IN-245, IN-275, approval of.

667-54-SA

APPLICANT—Berger Furnace Division of Burnham Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Berger Gas-fired Warm Air Furnace (various models); previously approved.

987-55-A

APPLICANT—Dorothy Clover, neighboring property owner.

OWNER OF PREMISES—Hanco Realty and Finance Corp.

LESSEE—Taft Cleaners and Dyers, Inc.

SUBJECT—Application December 14, 1955—Appeal from a decision of the Borough Superintendent—re Revocation of Certificate of Occupancy.

PREMISES AFFECTED—461 Forest Avenue, northwest corner of Hoyt Avenue, Block 136, Lot 49, Randall Manor, Borough of Richmond.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II Appeal from a decision of the Borough Superintendent re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08 40th Road, southeast corner, Block 403, Lot 43, Long Island City, Borough of Queens.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben Beverly, owner; Ben Beverly Equipment Co., Inc., lessee.

SUBJECT—Application June 8, 1955—Appeal from a decision of the Borough Superintendent—re frame building—factory use.

PREMISES AFFECTED—38-02 28th Street, southwest corner of 38th Avenue, Block 386, Lot 16, Long Island City, Borough of Queens.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.

SUBJECT—Application August 14, 1956—Appeal from a decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquefied Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, building being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

318-58-A

APPLICANT—Leonard F. Rothkrug, for B. Balzino Dress Co., Inc., owner.

SUBJECT—Application May 13, 1958—Appeal from an order and a decision of the Fire Commissioner, re bars on windows.

PREMISES AFFECTED—49-63 Quentin Road, northwest corner of West 11th Street, Block 6620, Lot 46, Borough of Brooklyn.

337-58-A

APPLICANT—Lama, Proskauer and Prober, for Sun Parking Garage, owner.

SUBJECT—Application May 23, 1958—Appeal from an order from the Fire Commissioner, re storage garage.

PREMISES AFFECTED—148 West 48th Street, south side, 225 feet, east of 7th Avenue, Block 1000, Lot 53, Borough of Manhattan.

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356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

428-58-A

APPLICANT—Harold Herman, for Mayfair-York Corporation, owner.

SUBJECT—Application July 16, 1958—Appeal from a decision of the Borough Superintendent, re temporary Certificate of Occupancy.

PREMISES AFFECTED—36 Gramercy Park East, east side, 39 feet, 5-1/7 inches south of Gramercy Park North, Block 876, Lot 21, Borough of Manhattan.

520-58-A

APPLICANT—Howard M. Dowling, for Board of Education, City of New York, owner.

SUBJECT—Application August 26, 1958—Appeal from a decision of the Borough Superintendent, re standpipe system.

PREMISES AFFECTED—21 West 138th Street, north side, 111 feet, 9¼ inches west of 5th Avenue and 16-18 West 139th Street, Block 1736, Lot 27, Public School 100, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 28, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, October 28, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

69-58-BZ

APPLICANT—Leonard F. Rothkrug, for Shenbro Realty Corp., owner; Sol Dwork, lessee.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of one apartment on the ground floor of a multiple dwelling as a clinical laboratory for a term of ten (10) years.

PREMISES AFFECTED—1686 Grand Boulevard and Concourse, northeast corner of East 173rd Street, Block 2823, Lot 36, Borough of The Bronx.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Reso-

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lution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

91-41-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Getty Realty Corporation, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the increase in the number of broadcasting stations from one to two stations and extend the term of the variance, previously granted, for a term of five (5) years.

PREMISES AFFECTED—2-6 East 61st Street and 795-798 Fifth Avenue, southeast corner, Block 1375, Lot 67, Borough of Manhattan.

422-58-BZ

APPLICANT—Leonard F. Rothkrug, for Joseph Katz and Martin Barell, owners.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the existing patron's and employees' parking lot from the business use portion to the residence portion of the plot for a stated term of fifteen (15) years as accessory to a retail supermarket in the business use portion of the plot.

PREMISES AFFECTED—2532-2554 86th Street, south side, from Bay 40th to Bay 41st Street, 1-11 Bay 40th Street and 2-12 Bay 41st Street, Block 6868, Lots 37, 49, 50 and 51, Borough of Brooklyn.

256-45-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Angelo, Sebastian and Guiseppe Rodolico and Vincenzo Bongiorno, owners; Aluminum Fabricators, Inc., lessee.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired May 13, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail and residence use district, the change in use from garage for more than five motor vehicles, to manufacturing and storage of aluminum building products for a term of ten (10) years.

PREMISES AFFECTED—1736 Pacific Street, south side, 75 feet of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn.

1070-47-BZ

APPLICANT—Skyline Collision Inc., lessee, for Josephine Stock, owner.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired March 19, 1951 and to obtain Certificate of Occupancy—decision of the Borough Superintendent, previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from auto body painting, to auto body painting, body and fender repair work and welding and spraying.

PREMISES AFFECTED—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing-non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the local Board.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol.

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II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-

4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans; then to October 28, 1958, applicant to file further revised plans carrying out the instructions given by the Board at the meeting of July 29, 1958; and for decision.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector; then to October 28, 1958, for inspection and decision; hearing closed.

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all

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previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958—as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.
SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

122-58-BZ

APPLICANT—Herman Horowitz, for Berne Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner; Research Animals Inc., under contract to purchase.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under sections 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, to

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permit inspection of site of present operations and in Manhattan No. 252 West 69th Street, for inspection and decision; then to October 28, 1958, for applicant to submit revised plans.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 28, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, October 28, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

213-58-A

APPLICANT—Lama, Proskauer and Prober, for Barney Tall, owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re frame building—public occupancy, egress, live load.

PREMISES AFFECTED—595 Saratoga Avenue, east side, 56 feet, 5½ inches north of Sutter Avenue, Block 3515, Lot 74, Borough of Brooklyn.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.

SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.

PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, east of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

370-58-A

APPLICANT—Lama, Proskauer and Prober, for Gur Aryeh Preparatory School, owner.

SUBJECT—Appeal filed June 11, 1958 from a decision of the Borough Superintendent, re exits and construction.

PREMISES AFFECTED—1122 East 21st Street and 2021-2025 Avenue J, northwest corner, Block 7584, Lot 1, Borough of Brooklyn.

58-58-A

APPLICANT—James E. Casale, for Louis and Mildred Robbins, owners; American Friends of the Middle East, Inc., lessee.

SUBJECT—Application February 17, 1958—Appeal from a decision of the Borough Superintendent, re Class III construction—commercial occupancy, stairs, etc.

PREMISES AFFECTED—47 East 67th Street, north side, 120 feet west of Park Avenue, Block 1382, Lot 31, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 5, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 5, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102. Lots 19 and 35, Borough of Brooklyn.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 East 222nd Street, northwest corner of Baychester Avenue, Block 4880, Lots 23 and 30, Borough of The Bronx.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.

PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Segune Avenue, Block 6699, Lot 1, Princess Bay, Borough of Richmond.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hands tools only, office, sale and storage of auto

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accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Pongiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, auto washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.
SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 5, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 5, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

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PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

Hearing postponed from October 7, 1958, to November 12, 1958, at the request of the applicant to revise his plans.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Ruschiana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Concy Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Kolodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II

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—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

386-58-BZ

APPLICANT—Unger and Unger, for Alex Lifschutz, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of a one story extension with less than the required setback.

PREMISES AFFECTED—616 East 19th Street, southwest corner of Foster Avenue, Block 5239, Lot 44, Borough of Brooklyn.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, November 18, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for

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report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.
SUBJECT—Application May 9, 1958—decision of the Bor-

ough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

WEDNESDAY MORNING, OCTOBER 15, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meeting of the Board held on Tuesday morning and afternoon, September 30, 1958, were approved as printed in the Bulletin of October 7, 1958, Vol. 43, No. 40.

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Jack Goodman.
For Opposition: Geraldine Siragusa.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

919-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Morris B. Kurlander, Sam Horenstein, Sarah Lubinsky, Doris Pearl, Edward A. Locke, Rev. Samuel Laskin, Gussie Forman, Sarah Mendelson, Zena Forman, Serafina Sica and Ida Ralitz.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re Application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard and to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Phillip Bleiwas, Charles Schneider, Frank J. Livoti, Mae E. Seyffarth, Marion C. Scherger and Aquilin T. Scherger.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Earl J. Wofsey.

For Opposition: Pearl Delson, Marcia Holland, Sylvia Kirshner, Rose Racanello, Naomi Taub, Agnes Morgera, John Rocafort, Joseph Lallo, Charles Giangreco,

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Grace Daly, Jane Schwarz, Mrs. John Barone, Peter Belsito, Mrs. Gertrude Hoyt, Saul Weinberger, Sidney Lerman, James Mulligan, Louis E. Yavner and Vera Richstone.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer, Arthur E. Froud, Edward Rosefeld and Thomas Del Giorno.

For Opposition: Paul Russo and Gladys Russo.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Xlena Incorvaca and Theresa Di Angelo.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. for consideration of revised plans and decision; hearing previously closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner; Research Animals Inc., under contract to purchase.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under section 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Roe and Kramer and Irving Milchman.

For Opposition: Ada Norton.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for applicant to submit revised plans; hearing previously closed.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning

Resolution, to permit in an E-1 area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Pauline Farber.

For Opposition: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use, D area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

For Opposition: Donald T. Davis, Joseph J. Allen, Albert L. Firmin, Consuelo Firmin, F. F. Cruse, Ernest M. Randall, Thomas E. Mitchell, William A. Robinson, E. Meglin, Joseph Zitoli, John J. Annici, Leo J. Stewart and Florence E. Robinson.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

122-58-BZ

APPLICANT—Herman Horowitz, for Berno Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Horowitz and Irving Friedman.

For Opposition: Gerald Blum.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. H. Salkowitz and Joseph A. Klar.

For Opposition: Theodore Blatt, Harry Bram and A. Arra.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A. M. for inspection and decision; hearing closed.

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188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry S. Haback.

For Opposition: None.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry S. Haback.

For Opposition: None.

ACTION OF BOARD—Laid over to October 21, 1958, at 10 A. M. at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments.

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of fifteen (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Kornblath.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; hearing previously closed; premises have been inspected.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Laid over for vote of the full Board; date to be set; hearing previously closed.

THE VOTE—

Affirmative: Chairman Murdock and Commissioner Sleeper 2
Negative: Commissioner Kleinert and Commissioner Foley 2
Absent: Vice-Chairman Keating 1

778-54-BZ—Vol. III

APPLICANT—Haus and Bresin, for Tally-Ho Realty Company, owner.

SUBJECT—Application reopened February 25, 1958, as Vol. III—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the erection of a one-story store building occupying more than the area permitted and without the required setback from the building line for a temporary term of twenty (20) years.

PREMISES AFFECTED—1320-1342 Remsen Avenue, west side, 263 feet, 10-¾ inches north of Avenue K, Block 8041, Lot 56, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

ACTION OF BOARD—Application withdrawn without prejudice. The applicant withdrew this application in view of the program of Borough President Cashmore to acquire this and other lots for the improvement of the cemetery adjoining.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

392-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, Morris and Morton Pickman, partners.

SUBJECT—Application May 9, 1957—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car wash non-automatic, auto repairs with hand tools only, office, storage, sales and parking of motor vehicles awaiting service with a business sign in a residence use district and a curb cut in excess of 30 feet.

PREMISES AFFECTED—221-11 Horace Harding Expressway, northeast corner of Springfield Boulevard, Block 7520, Lot 150, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Charles I. Goldman.

For Opposition: Samuel Bodian.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Application withdrawn after inspection by a Committee of the Board, on the recommendation it be withdrawn until the development of the former golf club property has been effected.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

1005-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under sections 7c, 7a and 21 of the Zoning Resolution, to permit in a business and residence use district, the erection of a one story building for use as a factory, warehouse and office, the proposed structure to occupy more than the permitted area coverage.

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PREMISES AFFECTED—41-09 56th Street, east side, 63.76 feet south of Roosevelt Avenue, Block 1327, Lot 29, Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

For Opposition: None.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Application withdrawn without prejudice.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the premises and surrounding area were in-
spected by a committee of the Board; and

WHEREAS, the Board suggested that the applicant withdraw
this application without prejudice, for consideration at a
later time after plans have been filed which conform as to
area with the Zoning Resolution and Section 7A, and for a
use which would be compatible for a lot of this type adjoining
a residence use district.

Resolved, that the application be and it hereby is with-
drawn without prejudice.

340-48-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Frank Amoruso,
owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II
—decision of the Borough Superintendent, under sections
7e, 7f and 7i of the Zoning Resolution, to permit in a
retail use district, after demolition of the existing struc-
tures, the erection and maintenance of a gasoline service
station, lubritorium, car wash, minor motor vehicle repairs
with hand tools only, office, parking and storage of motor
vehicles awaiting service and private parking.

PREMISES AFFECTED—135-20 35th Avenue and 35-06
Linden Place, southwest corner, Block 4959, Lots 18 and
20, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salminen.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on
April 22, 1958 subject to regular procedure, to consider a
new use; and

WHEREAS, a public hearing was held on this application
on September 23, 1958 after due notice by publication in the
Bulletin; laid over to October 15, 1958, for inspection and
decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning
Resolution show that the site, Linden Place and Northern
Boulevard are in a retail use, B area, class 1½ height dis-
trict; 35th Avenue and Farrington Street are in retail and
manufacturing use, B area, class 1½ height districts; and

WHEREAS, the decision of the Borough Superintendent,
dated March 21, 1958 acting on N.B. Applic. No. 583-58,
reads:

"1. Installation of a gasoline service station, lubri-
torium, car wash, minor motor vehicle repairs with hand
tools only, office, storage and parking of motor vehicles
waiting to be serviced and private parking in a Retail
Use district is contrary to Art. II Sec. 4A of the Zon-
ing Resolution."

and

WHEREAS, the applicant states that the premises consist
of a plot, 130 feet frontage by 125 feet in depth, improved

with a three story, three family frame dwelling and store
erected in 1882; that no Certificate of Occupancy was issued
at that time; that it is proposed to erect a modern, one story
masonry automobile service and gas station, of class 3
construction, to be used for the sale of gasoline, oil, lubri-
torium, car wash, minor motor vehicle repairs with hand
tools only, office, storage and parking of motor vehicles
waiting to be serviced, and private parking; that there will
be six gasoline pumps and ten 550 gallon gasoline storage
tanks underground; that the gas pumps will be the low,
compact, streamline units; that it is proposed to cover the
entire service and parking areas with black top paving and
a concrete mat at the gasoline pumps only; that if a vari-
ance is granted, the existing frame building on lot 18 will
be demolished; and

WHEREAS, the applicant states that a previous owner filed
application with the Board under Cal. No. 340-48-BZ to
permit, in a retail use district, the parking and storage of
more than five motor vehicles for lot 20, and a variance was
granted on May 18, 1948; that the present owner acquired
lot 20 on April 9, 1954 and Alt. Applic. No. 1187-54 was
filed with the Building Department for a parking lot; that
work was completed and Certificate of Occupancy No.
Q-96986 was issued on July 8, 1954; and

WHEREAS, the applicant contends that this property ad-
joins an unrestricted use area; that the neighborhood is very
mixed in use, including nearby garages, auto body shops,
Sanitation Department garages, and a large gas storage tank
one block north of Linden Place; that the owner has held
lot 18 since November 14, 1923 and lot 20 since April 9,
1954 and feels that the present use of parking lot has not
proven to be a sound economic investment; that 35th Avenue
is a heavily trafficked thoroughfare; that Linden Place is
one of the main arteries leading into College Point, which
makes this intersection a logical place for automobile servic-
ing, thus affording a service to the public; and

WHEREAS, the applicant states that the present owner has
held title to the property since November 14, 1923 and April
9, 1954; that the assessed valuation of land is \$16,000 and
of the building \$8,000 making a total of \$24,000; that the
building was erected in 1882; and

WHEREAS, the premises and surrounding area were in-
spected by a committee of the Board, which recommended
the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate
case in which to exercise discretion to grant under Section
7, Subdivisions e, f and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does
hereby *make a variation* in the application of the use dis-
trict regulations of the Zoning Resolution and that the appli-
cation be and it hereby is *granted* under Section 7f for a
term of fifteen years, to permit the premises to be occu-
pied as a gasoline service station and uses legally accessory
thereto, substantially as proposed and indicated on plans
filed with this application, marked "Received March 25,
1958", 5 sheets, *on condition* that all buildings and uses
now on the site shall be removed and the premises con-
structed and arranged substantially as indicated on plans
above cited; that the design and location of the accessory
building shall be as proposed, faced with face brick on all
sides except it may have common brick on the rear; that
there shall be no cellar under such building; that doors to
toilets shall be rearranged so as not to be contiguous; and
that in all other respects the accessory building shall comply
with the Building Code; that pumps shall be of a low ap-
proved type, erected not nearer than 15 feet to the street
building line from base of tank foundation or island; that
the number of gasoline storage tanks shall not exceed
twelve 550 gallon approved tanks; that curb cuts shall be
restricted to two on 35th Avenue, each 30 feet in width,
located where shown, and two on Linden Place, of similar
width, where shown; that any existing curb cuts not com-
plying with this requirement shall be filled with approved
curbing, and the curbing and sidewalks abutting the site
shall be repaired or constructed to the satisfaction of the
Borough President; that the balance of the premises where

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not occupied by accessory building and pumps shall be paved with concrete or asphaltic paving; that on the interior lot lines there shall be erected a masonry wall to a height of not less than 3 feet, 6 inches, surmounted with a steel picket fence between masonry posts to a total height of at least 5 feet 6 inches and with suitable intermediate and terminating masonry posts at each street building line; under section 7e for a similar term there may be parking of motor vehicles, provided such parking does not interfere with the servicing of the station; that under Section 7i there may be minor repairs with hand tools only, maintained solely within the accessory building for adjustment; that signs shall be restricted to permanent signs attached to the accessory building facing 35th Avenue and the illuminated globes of the pumps, excluding all roofs signs and temporary signs and advertising devices but permitting the erection within the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and to permit such sign not to extend more than four feet beyond the intersection; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

780-49-BZ—Vol. II

APPLICANT—Herman Kron, for Onofrio, Domenic and Michael Civitano, owners.

SUBJECT—Application reopened September 24, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, at an existing gasoline service station, the additional use of parking, and storage of more than five (5) motor vehicles on a recently acquired lot adjoining the premises.

PREMISES AFFECTED—1896 Bruckner Boulevard, southwest corner of White Plains Road, Block 3671, Lots 50 and 60, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on September 24, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 15, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection and decision; hearing closed; applicant to correct dimensions on plans; then to September 30, 1958, for further consideration; then to October 15, 1958, for further inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, White Plains Road and Bolton Avenue are in local retail and residence use, E and F-1 area, class 1½ height districts; Bruckner Boulevard is in a local retail use, E area, class 1½ height district; Story Avenue is in a residence use, F-1 area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated August 22, 1957 acting on Alt. Applic. No. 710-57, reads:

"1. On premises located partly in local retail & partly in residence districts the proposed 'parking & storage of motor vehicles' is contrary to Sect. 4-c & 3 of Art. II Zoning Res. & to Cal. 780-49-BZ of the Bd. of S & A and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 101.6 feet frontage by 139.2 feet in depth, irregular; and

WHEREAS, the applicant states that in June of 1956 the owners acquired from The City of New York the land in back of this gas station—Houghton Avenue—of a depth of 60 feet by 123 feet, irregular in size; that inasmuch as Houghton Avenue in the rear is now eliminated, application is being made to the Board to permit the inclusion of the parking and storage of more than five motor vehicles, to the present uses of gasoline service station, lubricatorium, car wash, auto repair, store and accessories; and

WHEREAS, the applicant contends that the plot as now zoned cannot be developed with a reasonable and profitable use, as there is no neighborhood support which would warrant the erection of a development devoted to residence and retail use; that the property is about 40 feet in the residence district; that the proposed use will be in harmony with the existing development of the neighborhood and its conduct will be such as not to interfere with the welfare of the inhabitants; that the owners are willing to surround the premises with such safeguards as the Board may deem necessary to protect the surrounding area; and

WHEREAS, the applicant states that the present owners have held title to the property since April 1, 1950; that the assessed valuation of land is \$15,000 and of the building \$30,000 making a total of \$45,000; that the building was erected in 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 28, 1950, as amended by resolution adopted October 10, 1950, by adding thereto:

"that in the event the owner desires to maintain parking and storage on an additional lot having a depth of 60 feet and a width of 123.85, known as Lot 60, such use may be permitted, under section 7e for a term of five years not as an extension to the gasoline service station but under the same supervision, as proposed and indicated on plans filed with this application, marked 'Received September 9, 1957,' 2 sheets, and 'June 5, 1958,' 2 sheets, on condition that the lot shall be leveled substantially to the grade of White Plains Road, paved with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all exterior lot lines a woven wire fence of the chain link type, not less than 5 feet, 6 inches in height, except that such fence may be omitted where the masonry walls of the adjoining building occur on the lot line; that the entrance and exit to such proposed parking area shall be where shown, to Bolton Avenue and White Plains Road, such entrances not to exceed fifteen feet in width each and with curb cuts opposite of similar width; that sidewalks abutting the site on both streets shall be repaired or constructed to the satisfaction of the Borough President; that suitable bumpers shall be maintained for protection of fences and walls; that suitable terminating posts shall be erected at the termination of the fences at the above cited entrances; that there shall be no signs erected, except that there may be a sign attached to the accessory building of the gasoline station, advertising the parking and storage use herein permitted and the rates charged; that such sign shall not exceed five square feet in area and its wording shall also comply with the requirements of the Department of Licenses; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

1010-57-BZ

APPLICANT—William E. Kelly, for Vincent and Angela Fallucco, owners.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district,

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the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—133-135 Schenectady Avenue, east side, 25 feet north of St. Marks Avenue, Block 1354, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Christine Beshar.

For Opposition: None.

For Administration: John J. Saunders—Board of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Schenectady Avenue are in a residence use, C area, class 1 height district; Bergen Street and St. Marks Avenue are in residence and local retail use, C area, class 1 height districts; Utica Avenue is in a local retail use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 13, 1957 acting on Alt. Applic. No. 3975-57, reads:

"1. Proposed parking and storage of motor vehicles in a Residence use District is contrary to Art. II, Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, presently vacant; that it is proposed to use this vacant lot for parking of customers' and employees' cars and in addition thereto, for the parking and storage of motor vehicles; and

WHEREAS, the applicant states that the owners operate a bar and grill at 137 Schenectady Avenue, immediately adjoining the said vacant lot, and directly opposite this lot is the Albany Housing Project which houses approximately 1,220 families consisting of over 5,000 people; and

WHEREAS, the applicant contends that the project has parking facilities for only 80 cars; that as a result of the construction of this project and other residential building in recent years, there are few, if any parking facilities available; that in addition, the recent enactment of more stringent parking regulations on the public streets has made it absolutely mandatory for owners of automobiles to obtain parking facilities in the immediate area; and

WHEREAS, the applicant states that the present owners have held title to the property since September 28, 1956 and that the assessed valuation of land is \$2,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles, substantially as proposed and indicated on plans filed with this application, marked "Received December 27, 1957", 3 sheets, on condition that all fences and uses now on the premises shall be removed and the site leveled substantially to the grade of Schenectady Avenue, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that on the interior lot lines where masonry walls do not occur

on the lot lines there shall be erected a woven wire fence of the chain link type, not less than 5 feet 6 inches in height; that on the street building line there shall be erected a similar fence, except for one opening 12 feet in width which shall be fitted with gates, and with curb cut opposite of similar width; that the sidewalks and curbing abutting the premises shall be repaired or constructed to the satisfaction of the Borough President; that suitable bumpers shall be maintained against such fences and walls on the building line for protection thereof; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that during the term of this variance the premises shall be occupied for no other use and no building shall be erected thereon; that all permits, including a certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

77-58-BZ

APPLICANT—Hady H. Craigwell, for John W. McDonald, owner.

SUBJECT—Application February 24, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use C area district, in an existing three-story building the enlargement of the restaurant establishment by increasing the area of the first floor extension for use as a kitchen and by extending the restaurant use to the second floor, heretofore used as two apartments, the third floor is to retain its use as an apartment, the proposed first floor extension encroaches on the required rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—327 Stuyvesant Avenue and 495 Macon Street, northeast corner, Block 1666, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Hady H. Craigwell.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 19, 1958 acting on Alt. Applic. No. 2825-57, reads:

"1. Proposed extension at rear of bldg. which extends into required rear yard violates Art. 2, Sect. 17a of Zone Resolutions.

2. Proposed extension to a bldg. occupied for commercial use on 1st floor is contrary to Art. 2, Sect. 3 of Zone Resolutions.

3. Proposed commercial use on 2nd floor of a bldg. in a residential district is contrary to Art. 2, Sect. 3 of Zone Resolutions.

4. Proposed extension exceeds area for a "C" district & violates Art. 4 Sect. 13(b) of Zone Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 22 feet frontage by 82 feet in depth, improved by a three story, class 3, hereafter converted class A multiple dwelling, with a small one story rear extension; that the first floor contains a restaurant which extends back ap-

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proximately 53 feet, and each of the upper two floors contains two three-room apartments; that it is proposed to increase the business, restaurant area by expanding the existing one story rear extension across the width and depth of the rear yard to within four feet of the respective lot lines and extending the business, restaurant, therein, and by removing the second floor apartments to create a dining room area with new stairs leading down to the present restaurant; and

WHEREAS, the applicant states that this neighborhood is one of better class converted brown stone dwellings and churches; it contains, however, no corresponding restaurant, with the exception of the subject establishment; that with the elimination of cooking within the furnished rooms, the present premises is too small to accommodate these individuals, as well as families, church people and social groups; that it is in response to this demand that the above expansion program is proposed; and

WHEREAS, the applicant states that the present owner has held title to the property since July 20, 1953; that the assessed valuation of land is \$3,400 and of the building \$15,000 making a total of \$18,500; that the building was erected in 1888; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c as to use and Section 21 as to extension of area, to permit a one story extension at the rear for the enlargement of the kitchen for the restaurant use, substantially as proposed and indicated on plans filed with this application, marked "Received February 24, 1958", 4 sheets, *on condition* that suitable approved garbage receptacles shall be maintained and no garbage left in uncovered receptacles at the rear or on the sidewalks at any time; and that all permits required shall be obtained and all work completed within the requirement of Section 22A of the Zoning Resolution.

200-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Nanel Realty Corp., owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, in a one-story and basement building now under construction for use as a medical center, the change in use of the doctor's office number one, located in the basement, to a pharmacy with a business sign on the face of the building.

PREMISES AFFECTED—10-16 162nd Street and 160-35 to 160-39 11th Avenue, northwest corner, Block 4579, Lot 1, Beechhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Michael L. Hamalak.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert,

Commissioner Foley and Commissioner Sleeper..... 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 162nd Street, 11th Avenue, 160th Street and 10th Avenue are in a residence use, G-1 area, class 1 height district; that as of July 25, 1916 the premises were in a class D area district; that on April 21, 1947 the premises were changed to an F area district and received the present class G-1 area designation on July 24, 1951; and

WHEREAS, the decision of the Borough Superintendent, dated March 18, 1958 acting on N.B. Applic. No. 1851-57, reads:

"1. The use of the basement area as a 'pharmacy' constitutes a business use in a Residence Use District and is contrary to Art. II Sec. 3 of Zoning Resolution.

"2. The erection of a proposed business sign in a Residence Use District is contrary to Art. II Sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100.05 feet frontage by 80 feet in depth, presently being developed with a one story building of class 3 construction, having a frontage of 79.94 feet and a depth of 45 feet, for use as a medical center; that Department of Buildings records indicate that approval for said medical center was given under N.B. Applic. No. 1851-57; that it is proposed to change the use of the doctor's office No. 1 in the basement, to a pharmacy; that it is also proposed to erect a small business sign, two feet by three feet, on the face of the building at the right side of the 162nd Street entrance; and

WHEREAS, the applicant contends that the change of use of the doctor's office in the basement to a pharmacy will not change the facade of this building, nor will it have an adverse effect upon the adjoining properties inasmuch as this is an allied business to a doctor's profession; that there are no stores within the affected area to provide the large housing development with the required retail services of a pharmacy; and

WHEREAS, the applicant states that the present owner has held title to the property since March 14, 1957; that the assessed valuation of land is \$5,500 and the partial assessed valuation of the building is \$9,500 making a total of \$15,000; that the building was erected in 1958; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the Committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 1851/57, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

248-58-BZ

APPLICANT—Robert Gottlieb, for Max Donner, owner.

SUBJECT—Application April 22, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of a used car sales lot and sales office for a stated term of five (5) years.

PREMISES AFFECTED—1885 Bruckner Boulevard, northeast corner of Underhill Avenue, Block 3732, Lots 9 and 15, Borough of The Bronx.

APPEARANCES—

For Applicant: Gerald Levy.

For Opposition: None.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

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THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, D and E area, class 1 height district; Underhill Avenue and Watson Avenue are in a residence use, E area, Class 1 height district; White Plains Road and Bruckner Boulevard are in residence and local retail use, D and E area, class 1 height districts; that the zone now is residential but originally was unrestricted, then business, and was changed to its present use on September 23, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated April 7, 1958 acting on Alt. Applic. No. 252-58, reads:

"1. In a residence use district the proposed 'Used Car Sales Lot & Accessory Office' is contrary to Sect. 3, Art. II Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 207 feet in depth, presently vacant, and used as a free rubbish dump; that it is proposed to clean up the lot, grade it to Bruckner Boulevard level and use it for the sale and storage of used cars; and

WHEREAS, the applicant states that most of the block and adjoining blocks are now vacant because it is not desirable for residential use and cannot be used for business; that there are now three used car sales lots and a gas station on the adjoining lot and adjoining corners, as follows: No. 1875 Bruckner Boulevard, Block 3731, Lots 1 and 75—granted by the Board for used car lot under Cal. No. 401-53-BZ; No. 1889 Bruckner Boulevard, Block 3732, Lot 3, granted by the Board for used car lot under Cal. No. 276-52-BZ; No. 1895 Bruckner Boulevard, Block 3732, Lot 1, granted by the Board for a gas station; No. 1901 Bruckner Boulevard, Block 3733, Lot 1, granted by the Board for used car sales lot under Cal. No. 750-50-BZ; and

WHEREAS, the applicant contends that by granting these temporary variances, the Board has already taken cognizance of the fact that the area is still in a transitional stage, and the used car lots will be removed when the land is ready to be properly developed; and

WHEREAS, the applicant states that the present owner has held title to the property since October 15, 1953 and September 21, 1956 and that the assessed valuation of land is \$6,800; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit the premises to be occupied for the sale of used cars and no other use, substantially as proposed and indicated on plans filed with this application, marked "Received April 22, 1958," 2 sheets, *on condition* that the premises shall be leveled substantially to the grade of Bruckner Boulevard, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all interior lot lines except where fences already occur in connection with the adjoining lot No. 3, used independently for the same purpose as permitted, a woven wire fence of the chain link type not less than 5 feet, 6 inches in height; that a similar fence shall be erected along the building line of Bruckner Boulevard, with no openings therein except one for entrance, not exceeding 12 feet in width; that the fences hereinbefore required for Lot 3 shall remain and not be disturbed by this owner; that during the term of this variance no other use shall be

maintained and no building erected on this plot except there may be a frame building, not exceeding one story in height or 100 square feet in area for use as an office for the attendant, located where shown near the entrance; and that in all other respects the premises and occupancy shall comply with all laws, rules and regulations applicable thereto, except that signs may be erected as would be permitted in a local retail district; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

291-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano; Robert Lyle Realty Corp., owner; Downstairs Restaurant, Inc., lessee.

SUBJECT—Application May 12, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a restricted retail use district, in an existing five-story and cellar building, the change in occupancy from restaurant, bar and apartments to restaurant, bar cabaret and apartments, the cabaret to occupy the second floor.

PREMISES AFFECTED—37 West 56th Street, north side, 300.7 feet east of 6th Avenue, Block 1272, Lot 15, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-

ert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 15, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, West 57th Street and 5th Avenue are in restricted retail use, B area, class 1½ height district; Avenue of the Americas and 56th Street are in restricted retail and retail use, B area, class 1½ height districts; that on July 25, 1916 the premises was in a business use district; that it was rezoned to retail on June 12, 1931 and again rezoned on July 6, 1948 to restricted retail; and

WHEREAS, the decision of the Borough Superintendent, dated May 7, 1958 acting on amendment to Alt. Applic. No. 1923-45, reads:

"A-15. Proposed cabaret in a restricted retail district contrary to Sec. 4-B Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100.5 feet in depth, on which is located a five story building, 60 feet in height, 25 feet front by 100.5 feet in depth, of class 3 construction; that the building was altered under Alt. Applic. No. 180-84 to repair fire damage and extended under Alt. Applic. No. 980-01; provided with a sprinkler system in the public halls under Spr. No. 407-36 and used as apartments over the second floor; equipped with a restaurant kitchen under P. & D. 731-46; provided with a sign advertising a cabaret known as "The Famous Dooley Sisters" under E.S. No. 444-46, and presently occupied as a bar and restaurant on the first and second stories under Public Assembly Permit No. 19-57 and Alt. Applic. No. 1923-45; that it is proposed to occupy the first floor as a bar and restaurant, the second story as a cabaret and the upper stories as apartments; and

WHEREAS, the applicant states that the proposed occupant presently conducts business as "Upstairs and Downstairs at

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Julius Monks" at the northwest corner of West 51st Street and 6th Avenue in a building under immediate plans for demolition, to be replaced by a multi-story office building; that the proposed tenant has been in business in New York City for several years and the cabaret use which is proposed herein is the same as that which has existed at its present location; that this cabaret use is unique in form and constitutes the principal reason for the success of the business; that the cabaret use consists of four or five actors presenting a revue, with no orchestral accompaniment except for two pianos; that it is not proposed, nor has the tenant ever permitted dancing or an orchestra in the premises; and

WHEREAS, the applicant contends that a limited cabaret is a conforming use in a restricted retail use district; that the limit is set forth in Article I, definitions, Sec. I (hh), which states that a cabaret means any room in which any musical entertainment, singing, dancing or other similar amusement is permitted in connection with a bar or restaurant, *except* that it shall not include such rooms where only a piano or organ with or without two string instruments is played; that the proposed use is in the same spirit of this exception in that there is no orchestra, no chorus line and the entertainment is limited; and

WHEREAS, the applicant further contends that this entire section of New York City was developed prior to 1916, when the Zoning Resolution became effective; that further, prior to July 6, 1948 the premises was in a retail zone and the proposed use is a conforming use in a retail zone; that records of the Department of Buildings indicates that in 1946 the building was occupied by "The Famous Dooley Sisters", who are presently the officers of the corporate owner, so that the premises had been occupied as a cabaret when in a retail use district; the West 56th Street is developed with uses of the same nature as the proposed use; that the cabaret use, limited as proposed herein, is not of the nature of the uses prohibited in a restricted retail use district; and

WHEREAS, the applicant states that the present owner has held title to the property since May 2, 1945; that the assessed valuation of land is \$70,000 and of the building \$30,000 making a total of \$100,000; that the building was erected prior to 1884; and

WHEREAS, the premises and surrounding area were not inspected by a committee of the Board at this time, as they were previously inspected in connection with other applications on the Street and the Committee recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit a cabaret on the second floor, as proposed and indicated on plans filed with this application, marked "Received May 12, 1958", 2 sheets, and "July 10, 1958", 3 sheets *on condition* that the cabaret shall be maintained in the manner as proposed, without any orchestral accompaniment except two pianos, and with not more than six actors presenting a review; and that all permits and a new certificate of occupancy shall be obtained and all work completed within six months from the date of this resolution.

Adjourned: 2:50 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

REGULAR MEETING

WEDNESDAY AFTERNOON, OCTOBER 15, 1958,
2 P.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

111-56-A—Vol. II

APPLICANT—Godfrey L. Hansen, for Neptune Meter Company, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Fire Commissioner re: smoking permits for certain office areas in factory building.

PREMISES AFFECTED—47-25 34th Street, northeast corner of 48th Avenue, Block 250, Lot 1, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Godfrey Hansen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated May 1, 1958 (Folder #50115.01) reads:

"In reference to your letter of April 15, 1958 requesting permission for certain office areas in this factory building to be designated as 'permissible smoking areas' please be advised that smoking in these areas is contrary to Section 283 of the Labor Law, and your request is therefore denied."

and

WHEREAS, the applicant states that the building is 3 stories, 60 feet in height, 425 feet by 200 feet in area, class 1 construction, erected 1924, located on a lot 600 feet front by 200 feet in depth, in an unrestricted use, B area, class 1½ height district, and used and occupied since July 1957 as follows: 1st floor—factory and office, 250 persons; 2nd floor—factory and office, 1205 persons; 3rd floor—factory and office, 270 persons; that the entire building used and occupied for the manufacturing of liquid meters and accessory equipment by a single tenant; that no change in use or occupancy is proposed; that the building is equipped with an approved standpipe system, and an approved two source sprinkler system throughout, and an approved interior fire alarm system; that there are four interior 44 inch wide masonry stairs, masonry enclosed, equipped with kalamein self-closing doors and extending direct to street; and

WHEREAS, Certificate of Occupancy #Q106945 issued December 28, 1955 against Alt. Applic. 1309/52 permits the present use and occupancy; and

WHEREAS, the applicant states that permission is sought to smoke in the following areas: 1st floor—offices; 2nd floor—offices and cafeteria; 3rd floor—office; and

WHEREAS, the applicant states that it is felt that all the requirements for a smoking permit is outlined in Section 283, Rule 2, Paragraph 3 of the Labor Law have been complied with; that the building is fireproof; that all partitions, shelving, etc., are of non-combustible material; that the building will be used to machine and assemble test meters and associated equipment, which places it in the machine shop classification; that the material used will be mainly brass castings and some iron, steel and aluminum materials all of the non-combustible nature; and

WHEREAS, the applicant contends that complete prohibition of smoking creates a hardship on many employees and it is believed that by setting up permissible smoking areas, promiscuous smoking in other areas can be eliminated; that it is therefore requested that the Board grant permission to smoke in certain designated areas, as indicated on plans filed with this appeal; that such smoking to be permitted during the hours of 7 A.M. to 7 P.M. in the designated areas within the manufacturing area and at any time in the cafeteria or office areas; that all partitions around the smoking areas will be of steel and glass, 7 feet high, except in the office area where masonry partitions already exist; and

WHEREAS, the premises was inspected by a committee of

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the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Fire Commissioner acting on decision dated May 1, 1958, in connection with Folder #50115.01 and that the appeal be and it hereby is *granted*, modifying the decision of the Fire Commissioner to permit smoking in the areas as proposed and shown on plans filed with this Appeal marked, "Received May 29, 1958," 6 sheets, *on condition* that such signs shall be displayed in such areas as may be determined by the Fire Commissioner stating that smoking is therein permitted; that such receptacles for smoker's refuge shall be maintained as he may require; and that the maintenance of the premises and the fire-fighting equipment shall be maintained as herein proposed.

972-57-A

APPLICANT—Wynn Oil Company, owner.

SUBJECT—Application December 26, 1957—Appeal from a decision of the Fire Commissioner re Packaging of combustible Mixture known as "Wynn's Friction Proofing Motor Cleaner" in 1 Quart Sealed Containers in New York City; containers not in accordance with Administrative Code requirements.

APPEARANCES—

For Applicant: Hugo T. Fischer Jr.

For Administration: Lieut. John P. Manfredi, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated June 22, 1956 redated December 26, 1957, reads:

"Refer to Folder No. 122-2007—This will acknowledge receipt of your application for this Department's Certificate of Approval for your Motor Cleaner.

However, as the one-quart sealed can intended for use with the subject product violates section C19-62.0 of the Administrative Code (wherein tightfitting replaceable top, cap or other device so made that the can or container shall be airtight when closed is specified), your application is hereby denied."

and

WHEREAS, the applicant states that it is proposed to package it's "Motor Cleaner" in 1 quart non-refillable metal containers for use in New York City; that this product has been issued Certificate of Approval #2213 when packaged in 1 gallon container; that direction on the container will point out that all of the contents of the can are to be used at one time; that at no time will any of the product be exposed to open fires or present any particular fire hazards; and

WHEREAS, the applicant contends that its product which flashes at 175° Fahrenheit is in competition with similar products having flash points of 65° Fahrenheit and 146° Fahrenheit; that because of the method of using the product in question, the entire contents of the can must be poured into the crankcase of a motor vehicle at once to be used as a flushing compound with the crankcase oil already in the motor; that there would never be at any time reason for using a portion of the contents less than 1 quart as it would not be effective; that it is therefore requested that the Board modify the decision of the Fire Commissioner and vary the provisions of Section C19-62.0 of the Administrative Code, to permit the marketing of its "Motor Cleaner" in 1 quart sealed cans.

WHEREAS, the premises was inspected by a committee of the Board; and

WHEREAS, the subject mixture was tested by the City's Central Testing Laboratory on June 7, 1956, which agency reported that it was an inflammable mixture with a flash point of 175 degrees Fahrenheit.

Resolved, that the decision of the Fire Commissioner dated June 22, 1956, redated December 26, 1957, acting on Folder No. 122-2077 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the use of the container as proposed for use with the product as approved by the Fire Commissioner under Certificate of Approval #2213, the product having a flash point as tested of 175 degrees Fahrenheit, *on condition* that the container shall bear a label which shall state that when opened the entire contents of the can shall be used at one time and that the can shall not be reused.

203-58-A

APPLICANT—Leonard F. Rothkrug, for Coney Island Enterprises, Inc., owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re wood fence in excess of 10 feet, height.

PREMISES AFFECTED—1000 Surf Avenue, southwest corner of Riegelman Boardwalk and West 10th Street, Block 7286, Lot 212, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 2, 1958 on Alteration Application 1107/57, reads:

"(1) Proposed fence in excess of 10 feet in height and of wood construction violates Sect. C26-257.2 & Sect. C26-541.0 subdivision (d) of the Administrative Code."

and

WHEREAS, the applicant states that the premises consists of a plot 198 feet 1½ inches front by 674 feet 4½ inches in depth, in a business and business 1 use, A area, class 2 height district, and used and occupied since 1953 as a kiddie horse and buggy ride, 16 persons; that Certificate of Occupancy #134626 was issued February 4, 1953 against N.B. Applic. 304/48; and

WHEREAS, the applicant states that the question involved is the maintenance of an existing fence along the west lot line at its intersection with Riegelman Boardwalk; that the fence was erected under Alt. Applic. 3725/57 which was approved and permit issued and after work was substantially completed the permit was revoked on January 30, 1958 for the reason that the fence was approximately 15 feet in height; and

WHEREAS, the applicant contends that the fence was erected in good faith under a permit issued by the Building Department and would have to be almost totally demolished in order to comply with the Building Code as interpreted by Borough Superintendent; that such interpretation would prevent any fence from being erected; that according to the interpretation of the Borough Superintendent a fence 1 foot in height would be permitted above the Boardwalk or above the adjoining building with its roof occupancy; that this interpretation works a hardship on the premises in question; that the lack of a fence would permit a dangerous condition to exist, since bottles and debris can be thrown from the higher kiddie land adjoining to the premises in question; that a solid fence is necessary for the protection of the children using the premises; that although the premises fronts on the Boardwalk it is 9 feet below Boardwalk; that the adjoin-

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ing premises to the west is a one story building, the roof of which is of Boardwalk level and is occupied as a kiddylane; that the adjoining one story building has a solid unpierced wall for its entire 9 feet of height; and

WHEREAS, the applicant further contends that Section C26-257.2 as amended, permits fences 15 feet in height around public playgrounds and permits higher fences when approved by the Borough Superintendent for the enclosure of public playgrounds, school yards, parks and similar public playgrounds; that the subject premise is used as a playland and fits the description of the Code for the exceptions permitted; that the owner of the adjoining premises could erect a fence identical to the one proposed herein or even to a height of 10 feet; that the fence in question is only a fence for 6 feet; the balance is structural support of the fence; that the fence in question is only 5 feet 6 inches above the adjoining lot; that if the height of the fence is measured from the nearest street grade, which is the Boardwalk, it would be conforming to Code.

WHEREAS, the premises was inspected by a committee of the Board, and the Board finds the objection of the Building Department is understandable as it would be necessarily bound by the legal grade of the street, but it is the opinion of the Board that in this case the fence should be permitted to continue provided it does not exceed the height permitted by the Code as figured above the boardwalk.

Resolved, that the decision of the Borough Superintendent, dated April 2, 1958, acting on Alt. Applic. 1107/57 be and it hereby is *modified* and that the appeal be and it hereby is *granted* on condition that the fence in question does not exceed 10 feet in height above the grade of the boardwalk in front of the premises as indicated on plans filed with this Appeal marked, "Received April 8, 1958," 2 sheets.

140-49-A—Vol. III

APPLICANT—Burke, Green & Groh, for George & Sonia Cullinen, owners. Les Clochettes, lessee.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Appeal from a decision of the Borough Superintendent—re construction; previously denied.

PREMISES AFFECTED—35-45 223rd Street, east side, 152.8 feet north of 37th Avenue, Block 6192, Lot 68, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: John J. Howley.

ACTION OF BOARD—Application reopened subject to the regular procedure to consider an additional proposal.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

APPEARANCES—For Applicant Samuel Rosenblum and Louis Karnow.

ACTION OF BOARD—Laid over to November 5, 1958, at 2 P.M. for inspection and decision; hearing closed.

594-57-A

APPLICANT—H. E. Horwood, for 52 Thompson Street, Corp., owner.

SUBJECT—Application August 13, 1957—Appeal from an order and a decision of the Fire Commissioner, re sprinkler system, etc.

PREMISES AFFECTED—52-56 Thompson Street, northeast corner of Broome Street, Block 488, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off Calendar; referred back to examiner for inspection and further report.

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Laid over to November 5, 1958, at 2 P.M. for inspection and decision in connection with prior Appeal Cal. No. 427-26-S hearing closed.

217-58-A

APPLICANT—Dana Development Corp., owner.

SUBJECT—Application April 10, 1958—Appeal from an order and a decision of the Fire Commissioner re Certificate of Fitness.

PREMISES AFFECTED—201-02 to 201-14 Rocky Hill Road, south side, from 201st to 203rd Streets, Block 7353, Lot 101, Bayside, Borough of Queens.

ACTION OF BOARD—Taken off list; referred back to the examiner for further examination and assigning a new date for hearing.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commissioner re use of Beltran Drying Oven.

PREMISES AFFECTED—62-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

ACTION OF BOARD—Taken off calendar and referred to examiner for further examination and for setting new hearing date.

181-19-BZ

APPLICANT—Leonard F. Rothkrug, for Crockett Fuel Oil Co., Inc.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, permitting the extension of a garage from an unrestricted district 18 feet to 10 inches into a business district.

PREMISES AFFECTED—8661-8671 18th Avenue, Borough of Brooklyn.

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APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 22, 1919, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 22, 1919, by adding thereto:

"that in the event the owner desires to divide the building so that one-half will be occupied by a conforming use only and the other half by a garage for more than five motor vehicles as hereinbefore permitted, such change of use may be permitted provided the two portions of the building are completely separated by a continuous masonry wall without openings therein, except for a pedestrian door, located as shown on revised plans marked "Received September 8, 1958", two sheets, and that the portion of the building not used for garage may be used for the conforming use of sale and display of new and used cars, as passed by the Borough Superintendent under Alt. App. 960-58, under date of August 26, 1958."

453-20-BZ—Vol. III

APPLICANT—Herman Kron, for Philip Tarter and Leon Ingel, owners. Stratford Garage, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a business use district, the change in penthouse and extension of same as new 4th story to be used as storage garage for more than 5 cars, which proposed extension is within 200 feet of Riverside Parkway and within 200 feet of a school.

PREMISES AFFECTED—323-325 West 96th Street, north side, 50 feet 6 inches east of Riverside Drive, Block 1887, Lot, 3, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III on April 24, 1951, on certain conditions; and

WHEREAS, the resolution was amended on December 2, 1952; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on September 13, 1955; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 24, 1951, as thereafter *amended* by resolutions adopted through September 13, 1955, by adding thereto:

"that a rearrangement of the toilets along the front line of the building may be permitted, as acted on by the

Borough Superintendent under N.B. 2095/58, objection dated September 9, 1958, and as proposed and shown on revised plans, marked "Received September 9, 1958", 1 sheet, and a new opening to the building as thereon shown may be permitted with a curb cut opposite not over 20 feet in width; and that in all other respects the resolutions above cited shall be complied with."

1359-22-BZ—Vol. II

APPLICANT—Henry C. Brucker, for Osbruck Realty Company, Inc., owner; Paul's Garage Inc. and Auto Collision Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution subject to—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7i of the Zoning Resolution, permitting in a business use district, the inclusion of motor vehicle repairs, spraying and welding in existing storage garage for more than 5 motor vehicles by an authorized car dealer.

PREMISES AFFECTED—71-20 Cypress Hills Street, west side, 82.58 feet south of Central Avenue and 71-15 64th Street, Block 3639, Lot 5, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Oscar F. Schmitt.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on February 10, 1953, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 10, 1953, under Volume II, by omitting in the third line thereof the words, "dealt in by the agency"; and that other than as herein *amended* the resolution above cited shall be complied with in all other respects; this amendment obviates the necessity of filing a new application under Volume III.

251-32-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Ultramar Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of an existing gasoline service station, auto washing, lubrication, minor repairs with hand tools only, office and sale of auto accessories.

PREMISES AFFECTED—1772-1788 Southern Boulevard, northeast corner of Boston Road, Block 2984, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

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THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on July 9, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 15, 1958; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 23, 1932, after *amended* by resolutions adopted through July 15, 1958, by adding thereto:

"that in the event the owner desires to discontinue the use of four existing 550 gallon gasoline storage tanks and install ten new 550 gallon approved tanks instead of the eight formerly granted by the Board, such tanks may be installed *on condition* that the requirements of the above resolutions shall be complied with in all other respects." (N.B. 2070/56)

1000-40-BZ—Vol. IV

APPLICANT—Ross and Atkin, for Eckert Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of term of variance and change of use—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a residence use district, the conversion of two apartments in basement stores.

PREMISES AFFECTED—2337 Grand Concourse and 164 Field Place, southwest corner, Block 3164, Lot 19, Borough of The Bronx.

APPEARANCES—

For Applicant: Harry Atkin.

ACTION OF BOARD—Application reopened, resolution amended and term extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. IV on January 18, 1949, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 18, 1949, only so far as it has reference to the statement by the applicant as to the proposed tenant, so that as *amended* this portion shall read:

"that the basement apartment will be occupied by a chiropractor, dressmaker and photographic studio . . .; as shown on revised plans, marked 'Received September 19, 1958', 2 sheets showing existing and proposed basement occupancy; and *granted* under Section 7e for a term of five years from the date of this *amended* resolution, on condition that in all other respects the requirements of the above resolution shall be complied with." (Alt. 722/58)

370-42-BZ—Vol. III

APPLICANT—Andrew DiCamillo, for Joseph Coscia, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e, 7f and 7i of the Zoning Resolution, permitting in a retail use district, the erection and

maintenance of a gasoline service station, auto laundry, lubritorium, motor vehicle repairs and storage and parking of more than 5 motor vehicles on the unbuilt upon portion of the site.

PREMISES AFFECTED—9243-9251 4th Avenue, east side, 129 feet 11 $\frac{3}{8}$ inches north of 94th Street and 9240-9248 5th Avenue, Block 6108, Lots 7, 9 and 11, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Sellitto.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 17, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 17, 1958, by adding thereto:

"that in the event the applicant obtains a new decision of the Borough Superintendent to rearrange the overhead doors so as to have three overhead doors instead of two, as now shown on revised plans marked 'Received August 18, 1958', 2 sheets, such changes may be made provided the resolution in all other respects is complied with." NB App. 2225-57.

201-48-BZ

APPLICANT—Forsyth Monument Works, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a business use district, the proposed alteration to existing display and sales of monumental stones by the installation of a new traveling crane.

PREMISES AFFECTED—170 Suffolk Street, east side, 125 feet north of Stanton Street, Block 350, Lot 3, Borough of Manhattan.

APPEARANCES—

For Applicant: Irving Goldfinger.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 19, 1948, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 20, 1953; and

WHEREAS, the term of variance was extended on October 20, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 19, 1949, as thereafter *amended* by resolutions adopted through October 20, 1953 only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision e for a term of five years from the date of this *amended* resolution,

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to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within three months from the date of this amended resolution." Alt. App. 2307-47

212-48-BZ—Vol. II

APPLICANT—Haus & Bresin, for Ruth Goldberg, owner. John Yandoli, lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired September 29, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from storage of wooden boxes to motor vehicle repair shop and the storage of motor vehicles waiting to be repaired previously denied by the Board, for motor vehicle repair shop, enlargement of building and the sale of used motor vehicles).

PREMISES AFFECTED—2573 Coney Island Avenue, east side, 62 feet 9 inches north of Avenue W, Block 7371, Lot 59, Borough of Brooklyn.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on September 29, 1953, on certain conditions; and

WHEREAS, the resolution was amended and time extended on September 21, 1954; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on September 29, 1953 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision i for a term of five years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." Alt. App. 2385/53.

861-48-BZ—Vol. II

APPLICANT—Charles A. Buckley, Jr., for Oncrest Realities, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 15, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7h of the Zoning Resolution, for a term of 2 years, permitting in a residence use district, the parking of more than 5 motor vehicles for customers and patrons of Alexander's Department store. No fee to be charged.

PREMISES AFFECTED—2519-2525 Creston Avenue and 62 East 191st Street, southwest corner, Block 3175, Lots 26 and 36, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice J. Schulkind.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 25, 1952, on certain conditions; and

WHEREAS, the term of variance was extended on April 15, 1958; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 15, 1953 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of five years from the date of this amended resolution, to permit.....; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." (Alt. App. 704/48)

906-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Fisher, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete and amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7A of the Zoning Resolution, permitting in a retail use district, the proposed change of use from parking and storage of motor vehicles to auto showroom, new and used cars, gasoline service station, lubricatorium, minor auto repairs, car washing, office and sales, storage, parking and storage of motor vehicles, proposed show windows, signs, curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—8101-8111 3rd Avenue and 302-312 81st Street, southeast corner, Block 5997, Lots 7 and 11, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on December 11, 1956, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work; and

WHEREAS, this matter was subject to court review and approximately one year was consumed and should be added in accordance with the usual procedure of the Board to the time set by Section 22A of the Zoning Resolution; and

WHEREAS, such time to complete without such allowance for time consumed by the court expired on December 11, 1956.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 11, 1956 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy shall be obtained and all work completed

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within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 2186-55)

362-53-BZ

APPLICANT—Herman E. Horwood, for Longwood Boulevard Realty Agency, owner; Hyman Abramowitz, lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the maintenance of an existing motor vehicle repair shop in part of structure.

PREMISES AFFECTED—800-816 Southern Boulevard and 1035 Longwood Avenue, northeast corner, Block 2732, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman E. Horwood.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 27, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on January 4, 1955; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 27, 1953, as thereafter *amended* by resolution adopted on January 4, 1955, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision i for a term of 5 years from the date of this *amended* resolution, to permit.....; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained." (Alt. App. 252/53)

247-54-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for David and Theodore Ain, Susie and Mario Marani and Theodore Kent Ain, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the extension of the use of the existing gasoline service station located on the local retail portion of the premises by using the vacant portion in the residence use district for the parking and storage of more than 5 motor vehicles, for a term of years to coincide with the term of the variance granting the gasoline service station.

PREMISES AFFECTED—75-01 to 75-09 (75-05 official Parsons Boulevard) and 158-02 to 158-20 75th Avenue, southeast corner, Block 6823, Lot 1, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II on July 15, 1958, on certain conditions; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted July 15, 1958, by adding thereto:

"that the plans marked 'Received September 9, 1958,' 1 sheet, show the requirements of the Board as to fences, curbs, bumpers and planting as set forth in the resolution above cited."

59-55-BZ

APPLICANT—Paul Friedman, for Max Donner, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7h and 7i of the Zoning Resolution, permitting in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing, non-automatic, storage and sale of accessories and office and permitting the parking of cars waiting to be serviced for a term of 15 years.

PREMISES AFFECTED—4085-4099 Baychester Avenue and 1970-1978 Edenwald Avenue, southwest corner, Block 4981, Lots 49, 50, 53 and 54, Borough of The Bronx.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 26, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on October 8, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 26, 1955, as thereafter *amended* by resolutions adopted through October 8, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution." (N.B. App. 1541/54).

170-55-BZ

APPLICANT—Leonard F. Rothkrug, for Patric R. O'Connor, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a restricted retail use district, the erection and maintenance of a gasoline service station, lubritorium, car wash-

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ing, motor vehicle repairs, storage and sale of accessories and office and permitting the parking and storage of motor vehicles on unbuilt upon portion of lot.

PREMISES AFFECTED—701-707 Soundview Avenue and 700-708 St. Lawrence Avenue, intersection of Soundview, St. Lawrence and Seward Avenues, Block 3597, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 26, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on November 6, 1957; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 26, 1955, as thereafter amended by resolutions adopted through November 6, 1957, by adding thereto:

"that in the event the owner desires to eliminate one of the two pump island previously shown and to increase the pumps to three on the remaining one island, such changes may be permitted provided the distance from the building line to such pumps is as previously approved as shown on plans filed and as passed on by the Borough Superintendent under N.B. App. 1491-54, objection dated August 11, 1958."

94-56-BZ—Vol. II

APPLICANT—Ingram S. Carner, for Chain Store Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a retail use district, to erect and maintain a gasoline service station, car wash, lubricatorium, motor vehicle repairs, sale of accessories, parking for more than 5 motor vehicles and sale of fuel oil.

PREMISES AFFECTED—1970 Victory Boulevard and 5 Perry Avenue, southeast corner, Block 722, Lot 1, Castleon Corners, Borough of Richmond.

APPEARANCES—

For Applicant: Ingram S. Carner.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on October 15, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 15, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 69/56)

418-56-BZ

APPLICANT—Ingram S. Carner, for Louis Mintz, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the proposed erection and maintenance of a gasoline service station, car washing (non-automatic) minor repairs with hand tools only; office and sales, storage of accessories, parking for more than 5 cars waiting to be serviced.

PREMISES AFFECTED—7107-7127 New Utrecht Avenue, 1573 72nd Street, northeast corner, 1572 71st Street and 7102-7124 16th Avenue, Block 6180, Lots 63, 70, 71 and 72, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ingram S. Carner.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 26, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on January 28, 1958; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 26, 1957, as thereafter amended by resolutions adopted through January 28, 1958, by adding thereto:

"that in the event the owner desires to reduce the accessory building and to add an additional curb cut 30 feet in width and to provide five approved gasoline pumps on two islands instead of six on one island as shown on revised plans marked 'Received September 10, 1958', one sheet, such changes may be permitted; as passed by the Borough Superintendent under Amendment to NB App 749-51, disapproved August 14, 1958, on condition that in all other respects the resolution above cited shall be complied with."

541-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Irving Brodsky, owner; Sun Garage Corp., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 8, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a retail-1 use district, the installation of two 550 gallon buried gasoline storage tanks and two approved type gasoline pumps within an existing garage building for more than 150 motor vehicles.

PREMISES AFFECTED—148 West 48th Street, south side, 225 feet east of 7th Avenue, Block 1000, Lot 53, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

MINUTES

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 24, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 8, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 24, 1947, as thereafter *amended* by resolutions adopted on October 8, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." Misc. App. 102/56)

567-56-BZ

APPLICANT—Albert Melniker, for Arthur Pynn, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 24, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7h, 7i and 7A of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop, public lubricatorium and parking of more than 5 motor vehicles with a business entrance, curb cut within 75 feet of a residence use district.

PREMISES AFFECTED—540 Arthur Kill Road, 491 Colon Avenue, southeast corner and 490 Doane Avenue, Block 5451, Lot 77, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: William E. Roehing.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 24, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 24, 1957, only as to the time within which to obtain permits and complete the work so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 670/56)

37-57-BZ

APPLICANT—John J. Tricarico, for Dominick Terzuoli, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, per-

mitting in a residence use district, the maintenance of a parking lot for more than 5 motor vehicles.

PREMISES AFFECTED—431-435 Warren Street, north side, 23 feet 6 inches east of Bond Street, Block 393, Lots 66, 67 and 68, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that work has been completed and that additional time is required to obtain a certificate of occupancy; that all permits required, including a certificate of occupancy, shall be obtained within six months from the date of this *amended* resolution." (Alt. App. 4078/56)

443-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank J. Gibbons, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired July 2, 1958 and obtain a Certificate of Occupancy—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, to extend the present uses of dwelling and 4 car garage to include parking and storage of more than 5 motor vehicles on the unbuilt upon portion of the plot.

PREMISES AFFECTED—124-134 Erasmus Street, south side, 208 feet 10 $\frac{3}{4}$ inches east of Rogers Avenue, Block 5108, Lots 21 and 22, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 10, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain a certificate of occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 10, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and the work completed and additional time is required to obtain a certificate of occupancy, that all permits required, including a certificate of occupancy, shall be obtained within six months from the date of this *amended* resolution." (Alt. App. 1275/57)

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929-57-BZ

APPLICANT—Charles M. Spindler, for Anna Pfriemer, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f and 7i of the Zoning Resolution, permitting in a retail and residence use district, on the retail portion of the plot, the erection and maintenance of a gasoline service station, lubrication, auto wash—non-automatic, office, sale of accessories, minor repairs with hand tools only, auto safety inspection station and the parking and storage of motor vehicles with a ground sign for a term of 15 years.

PREMISES AFFECTED—210-01 to 210-21 (210-11 official) Jamaica Avenue and 94-35 to 94-43 210th Street, northeast corner, Block 10543, Lot 3, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 3, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 3, 1958, by adding thereto:

"that in the event the owner desires to make certain changes as shown on revised plans marked, 'Received September 10, 1958,' 2 sheets, such changes may be made to permit minor changes in the dimensions of the building to 57 feet in length and 29 feet in width; and to make minor changes in the location of the curb cuts as shown on such plans; and to change the arrangement of the pumps so that the pump islands shall set back 15 feet and 39 feet 9 inches respectively from the street line in the revised location as shown on such plans." (N.B. 4155/57)

141-58-BZ

APPLICANT—Frederick A. Ketcher, for Arthur J. McConnell, owner. John J. Fox and Sons, lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7h of the Zoning Resolution, permitting in a residence use district, an extension to the existing legal funeral parlor and undertaking establishment with patron parking of more than 5 cars.

PREMISES AFFECTED—201-203 East 201st Street and 3000-3008 Grand Concourse, northeast corner, Block 3307, Lots 67 and 68, Borough of The Bronx.

APPEARANCES—

For Applicant: Fredrick A. Ketcher.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 22, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 22, 1958, so that as amended the first clause of the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c as to extension of use and to permit under Section 7h the parking of cars in connection with the business and for patrons for a term of ten years with curb cuts as shown, etc. . . ." (Alt 171/58)

1030-46-BZ

APPLICANT—George C. Ponter & Company, for Bain & Hoopes, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a business and unrestricted use, C area district, the erection of an extension for garage for more than 5 motor vehicles, motor vehicle repair shop, wheel alignment and brake testing, using more than permitted area.

PREMISES AFFECTED—2412-2414 Church Avenue, south side, 71 feet east of Bedford Avenue, Block 5104, Lot 15, Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Axelrod.

ACTION OF BOARD—Request for extension of term of variance withdrawn inasmuch as the Applicant discovered that the matter hasn't been adjusted in due course under Cal. No. 379-46-BZ, Vol. 2, which had to do with Lot 17 to which Lot 5 was added.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

380-50-BZ

APPLICANT—Levy and Nevins, for Reiner Heating Corp., owner; Tremont Chevrolet Company, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a business building, for the storage and sale of auto parts, office, sale and display of new and used cars, motor vehicle repair shop, motor vehicle service to new and used cars, including lubrication greasing and washing.

PREMISES AFFECTED—Southeast corner of Bruckner Boulevard and Colgate Avenue, Block 3649, Lot 30, Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Request for extension of the term of variance dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

180-46-SM

APPLICANT—American Steel & Wire Division United States Steel Corp., owner.

SUBJECT—Application for consideration—reopening for test and report—re American Welded Wire Fabric for concrete reinforcement; previously approved.

MINUTES

APPEARANCES—

For Applicant: Alvin R. Schwab and R. A. Swenson.

ACTION OF BOARD—Application reopened for report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

160-49-SM—Vol. II

APPLICANT—Flexible Connector Company of America,
Inc., owner.

SUBJECT—Application for consideration—reopening for
report as to modification of connector—re Long-Flex Gas
Stove Connector; previously approved.

APPEARANCES—

For Applicant: Earl Longfellow.

ACTION OF BOARD—Application reopened for test and
report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

148-50-SM

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for
report as to new size of edge strip—re Gold Bond Insula-
tion Roof Boards; previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Application reopened for test and
report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

568-51-SM

APPLICANT—Hohmann and Barrnard, Inc., owner.

SUBJECT—Application for consideration—reopening for
report as to modification of anchor—re Eraydo Alloy Zinc
Cavity Wall Tie, Model 148-A; previously approved.

APPEARANCES—

For Applicant: Bernard Storch.

ACTION OF BOARD—Application reopened for test and
report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

92-54-SA

APPLICANT—The Spee-Flo Company, owner.

SUBJECT—Application for consideration—reopening for
report as to modification of cover—re The Spee-Flo

Pressurematic paint heater. Models 300-A, 300-B, 600-A,
300-A-PA, 300-A-PE, 600-A-PA, 600-A-PE, 300-AR and
600-AR; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and
report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

313-54-SM

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for
report as to change of facing of shingle—re Gold Bond
Asbestos Sidings Shingles and Accessories, Gold Bond
Asbestos Cement Shingles for exterior finish on Class 4
Buildings; previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Application reopened for test and
report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

12-53-SM

APPLICANT—Libbey, Owens, Ford, Glass Co., Corrugulux
Div., owner; Devices Inc., Agent.

SUBJECT—Application January 6, 1953—Corrugulux (glaz-
ing material shatterproofing skylights, etc.)

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution; applicant will file a revised application.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

271-53-SA

APPLICANT—Eureka Williams Corp., owner.

SUBJECT—Application February 6, 1953—Williams Gas-
O-Matic (gas-conversion burner-power type), Models
GP150 and GP300, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of
prosecution; the appliance has never been in production
and is a discarded model.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

CORRECTIONS

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on January 29, 1957, as they appeared in Bulletin No. 6, Vol. 42, hereby corrected to read as follows:

362-56-BZ

APPLICANT—James E. Vassalotti, for Rosary Realty Corp., owner.

SUBJECT—Application May 11, 1956—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, parking and storage of motor vehicles.

PREMISES AFFECTED—2831-2843 West 8th Street and 638-648 Sheepshead Bay Road, southeast corner, Block 7279, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Samuel L. Becker, Dep't of Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Keating and Deputy Chief Connolly... 4

Negative 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 18, 1956 after due notice by publication in the Bulletin; laid over to January 29, 1957, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and West 8th Street are in a business use, A area, class 1 height district; that Sheepshead Bay Road is in a business use, A area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 25, 1956 acting on Alt. Applic. 1054-56, reads:

"1. Proposed change of use from storage of machinery models to gasoline service station, lubritorium, car washing, minor auto repairs, storage room, store, parking and storage of motor vehicles in a business use zone is contrary to Art. II, Par. 4(a), subsection 29 & 46 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 101 feet 5 $\frac{7}{8}$ inches frontage by 125 feet 8 $\frac{3}{4}$ inches in depth, irregular, presently developed with a one story building of class 3 construction having a frontage of 80 feet and a depth of 30 feet, erected under N.B. Applic. No. 13394 of 1928 and Certificate of Occupancy No. 55224 was issued to use the building for the dead storage of machinery models; that it is proposed to secure a variance for a period of fifteen years in order to install and maintain a gasoline service station consisting of ten 550 gallon gasoline storage tanks and six dispensing pumps; that it is further proposed to alter the present building reducing it in size to 65 feet by 30 feet and convert to an accessory building containing conjunctive uses of office and sales, minor auto repairs, lubritorium, car wash and storage; that it is further proposed to reserve part of the open area of the site for the parking and storage of motor vehicles; and

WHEREAS, the applicant states that as of July 25, 1916 the premises were in an unrestricted use district and received its present use designation on May 20, 1926; and

WHEREAS, the applicant contends that West 8th Street and Sheepshead Bay Road are heavily trafficked auto lanes and the proposed development of block 7268, lots 1 and 109 with the Luna Park housing project approved by the Board of Estimate on February 9, 1956 makes the proposed gas station in keeping and a highly required service at this point; that the building will be maintained with a peak roof

and its rehabilitation will improve the appearance of the community; that the proposed gasoline pumps will be set 15 feet in back of all buildings lines, assuring safe pedestrian passage at all times; that the provisions to park and store motor vehicles on the site will help alleviate the serious parking problem in this area; that the site is adjoined to the east on lot No. 6 by a public garage and faced directly across the street in block 7270, lot No. 14 by a motor vehicle repair shop; that in addition there are many non-conforming uses in the affected area as follows: block 7247, lot 320—public garage; block 7270, lot 10—storage of materials; block 7270, lot 8—garage; block 7271, lot 11—laundry; block 7279, lot 11—garage; that in addition, the elevated railroad due east of the site and within the affected area has the same effect on the site as a non-conforming use; and

WHEREAS, the applicant states that the site was owned for fourteen years by Rosari Canizzi and on January 23, 1956 the site was conveyed to Rosary Realty corporation, the present owners; that the former owner is sole owner of all of the stock in the Rosary Realty corporation and also is president of said corporation; and

WHEREAS, the applicant states that the present owner has held title to the property since January 23, 1956; that the assessed valuation of land is \$20,000 and of the building \$10,000 making a total of \$30,000; that the building was erected 1928; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit the premises to be occupied as a gasoline service station and accessory uses substantially as proposed and as indicated on plans filed with this application marked "Received May 11, 1956", 5 sheets, *on condition* that all uses and buildings shall be removed from the premises except the existing building proposed to be reused as an accessory building; that the premises shall be levelled substantially to the grade of West 8th Street and Sheepshead Bay Road and shall be arranged as indicated on plans above cited; that there shall be no cellar under the existing building; that such building shall be rearranged as indicated on such plans without being increased in height or area; that pumps shall be of a low approved type, erected not nearer than fifteen feet to the street building line; that the number of gasoline storage tanks shall not exceed ten 550 approved tanks; that along the lot lines to the south and east where walls of adjoining buildings do not occur there shall be maintained a woven wire fence of the chain link type not less than 5 feet 6 inches in height, and to satisfy this requirement the existing fences may be continued if maintained in good condition and shall be not less than 5 feet 6 inches in height; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all temporary signs and roof signs but permitting the erection within the building line of one post standard, where shown, facing Sheepshead Bay Road, for advertising only the brand of gasoline on sale, and extending beyond the building line for a distance of not over four feet; that the plot where not occupied by accessory building and pumps shall be paved with concrete or asphaltic pavement; that curb cuts shall be restricted to two curb cuts not over 30 feet in width to West 8th Street and to two curb cuts of similar width to

CORRECTIONS

Sheepshead Bay Road; and that all permits shall be obtained including a certificate of occupancy and all work completed within the requirements of Section 22A of the Zoning Resolution.

**Correction—Address of premises affected corrected to read "2831-2843 West 8th Street," etc.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on November 6, 1957, as they appeared in Bulletin No. 46, Vol. 42, hereby corrected to read as follows:
158-57-BZ

APPLICANT—F. C. Dahlem and V. E. Block, for Frank Mangieri and August Lanzatti, owners.

SUBJECT—Application March 1, 1957—decision of the Borough Superintendent, under sections 7h, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, office, sale of accessories, car washing, minor repairs with hand tools, and the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1430-1448 Seabury Avenue and 2510-2530 Westchester Avenue, northeast corner, Block 3858, Lots 1, 5, 8, 9 and 40, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Samuel J. Nachwalter.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Keating and Deputy Chief Conolly 4
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 22, 1957 after due notice by publication in the Bulletin; laid over to November 6, 1957, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the zoning resolution show that the site, Seabury Avenue and Commerce Street is in a retail and unrestricted use, D & A area and Class 1, 3 & 4 height district; Westchester Avenue is in a retail use, D area and Class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 4, 1957, acting on N.B. Applic. 53-57, reads:

"1. Proposed use of gasoline service station, lubritorium, office, sale of accessories, car wash, minor repairs with hand tools only, and parking and storage for more than five motor vehicles in a retail use district is contrary to Art. II, Sec. 4-A of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot 222.92 feet frontage by 200.38 feet in depth, the Lexington Avenue elevated railway passes the property on Westchester Avenue, the property is surrounded by shops; junk yard, parking lot; across the street on Seabury Avenue there is a church with a very old cemetery; the majority uses around this property are non-conforming uses; that it is not desirable as an apartment house site, nor could this plot be good for stores as there is not enough population around to support stores; that the owner has an opportunity to develop this property with a 4 bay gasoline station and parking and storage of more than five motor vehicles; that Gulf Oil Corporation will assist this venture if your honorable Board considers granting a variance; that the owners will gladly conform to any conditions the Board may impose to enhance this plot; that it is now used for the parking and storage of more than five motor vehicles; that it is

proposed to erect a face brick service station with four bays, office, sales of accessories, car wash, minor repairs with hand tools and lubritorium; and

WHEREAS, the applicant contends that it also appears that this ground is fill and any other type building except a one story building would require piles or other very expensive foundations; and

WHEREAS, the applicant states that the present owner has held title to the property since April 7, 1956; that the assessed valuation of the land is \$79,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit the erection within the existing plot, where shown, and as indicated on plans filed with this application marked "Received March 1, 1957," 4 sheets, the gasoline selling equipment and accessory building therefor as indicated on such plans *on condition* that such building and uses shall be located on the plot where indicated on such plans; that there shall be no cellar under the accessory building; that the accessory building shall be of the design and arrangement as indicated and shall be faced with face brick on all four sides; that pumps shall be of a low approved type, erected where shown, but no pump nearer than 15 feet to the street building line of Westchester Avenue; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the premises, as now occupied for parking and as proposed to be occupied for parking and gasoline service station as herein permitted; that where not occupied by accessory building and pumps the gasoline station area shall be paved with concrete or asphaltic pavement and the balance of the plot shall be suitably paved; that along the interior lot lines to the north, south and west there shall be erected a woven wire fence of the chain link type, on a masonry base, not less than 5 feet 6 inches in height; that along the street building line of Westchester Avenue there may be curb cuts as shown, totaling five, each approximately 30 feet in width, including splays, and one curb cut, where shown, on Seabury Avenue not over 20 feet in width within the first 25 feet from the intersection of Seabury Avenue with Westchester Avenue; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs but permitting the erection at the building line to the north of one post standard for supporting a sign, which may be illuminated advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 feet; that under Section 7i there may be minor repairing maintained in the accessory building only with hand tools for adjustments; that under Section 7h there may be the continuation of the parking of cars of the pleasure car type only on the premises but not including the open spaces required to prevent interference with the servicing of the gasoline station; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; and that all permits shall be obtained and all work completed and a certificate of occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

**Correction—Address of premises affected corrected to read "2510-2530 Westchester Avenue," etc.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, 80 Lafayette Street, 9th Floor, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

3
University of Illinois Library
Serials Dept.
Urbana, Ill.

RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: ". . . aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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2770 and 3020-3024.
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COURT DECISION

In the Matter of Sarah I. Stadden, Petitioner against Hamilton
Macauley et al., Constituting the Board of Zoning Appeals of the
Incorporated Village of Massapequa Park, Respondents.

Supreme Court, Nassau County, November 28, 1956.

Zoning—variance—in seeking variance of area requirement not
necessary to show special hardship but merely practical difficulties—
refusal to grant area variance to build dwelling on 40 by 100 foot
plot unreasonable.

1. Petitioner in seeking a variance of an area requirement is not
required to show a special hardship but merely practical difficulties.

2. The property owner or a vendee may not be deprived of the
right to build a dwelling on the 40 by 100 foot plot merely because
the first has no intention of building and the second is purchasing the
property with knowledge of the area restrictions.

3. The refusal to grant the variance was unreasonable.

Percy C. Stoddart, J. Application granted. The petitioner in seek-
ing a variance of an area requirement is not required to show a
special hardship but merely practical difficulties (Matter of Village
of Bronxville v. Francis, 1 A D 2d 236, affd. 1 N. Y. 2d 839; see,
also, Matter of Corrado v. Griffin (N. Y. L. J., Dec. 4, 1956, p. 13,
col. 1), and Matter of Schaefer v. Griffin, N. Y. L. J., Dec. 4, 1956,
p. 12, col. 8). Here, the property owner or his vendee may not be
deprived of the right to build a dwelling on the 40 by 100 foot plot
merely because the first has no intention of building and the second
is purchasing the property with knowledge of the area restrictions
(Matter of 293 North Broadway Corp. v. Lange, 282 App. Div. 1056;
Matter of Hickox v. Griffin, 274 App. Div. 792). The determination
of the respondent board in refusing to grant the variance requested
was clearly unreasonable.

Settle order on notice.

Law Reports N. Y. — Oct. 15, 1958.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

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All hearings are held at 80 Lafayette Street, Borough of
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377-57-BZ—Vol. II and 943-57-BZ.

CALENDAR

DOCKET

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Cal. No. Dept.

Premises Affected

591-58-A—B.M.—153-155 Hudson Street, west side, 26 feet north of Hubert Street, Block 215, Lot 23, Borough of Manhattan, Alt. 870-58—re stairs at 1st floor to be enclosed to street.

592-58-BZ—B.Bx.—276 Bedford Boulevard, south side, 36.33 feet west of Bainbridge Avenue, Block 3297, Lot 19, Borough of The Bronx, Alt. 764-58—re parking lot—residence use district.

593-58-BZ—B.B.—273-279 68th Street, north side, 40 feet, 1¾ inches west of 3rd Avenue and 272-278 Senator Street, Block 5853, Lots 36, 38 and 49, Borough of Brooklyn, Alt. 728-58—re used car sales and parking and storage of motor vehicles—residence use district.

594-58-BZ—B.B.—523-533 Remsen Avenue, east side, 240 feet north of Church Avenue, Block 4687, Lot 19, Borough of Brooklyn, N.B. 1520-58—re repair shop, body and fender work, paint and spraying, etc.; area excessive—business use, D area district.

595-58-BZ—B.Q.—111-07 225th Street, east side, 41.64 feet south of 111th Avenue, Block 11209, Lot 15, Queens Village, Borough of Queens, Alt. 2010-58—re conversion from one to two families—residence use, G-1 area district.

596-58-SM—Imperial Damper Co., Inc., Automatic Louvered Fire Damper, Model VWNVT-1 for restriction of smoke and fire through duct passages, manufactured by Imperial Damper Co., Inc., Material.

597-58-BZ—B.M.—38 East 65th Street, south side, 120 feet east of Madison Avenue, Block 1379, Lot 47½, Borough of Manhattan, Alt. 955-58—re business use (offices)—residence use district.

598-58-A—B.M.—38 East 65th Street, south side, 120 feet east of Madison Avenue, Block 1379, Lot 47½, Borough of Manhattan, Alt. 955-58—re use of 5 story Class 3 building for offices.

599-58-SM—Cantilite Foam Fill (poured insulation on top of roof deck), manufactured by Concrete Plank Co., Material.

600-58-SA—James and Universal Automatic Dishwashers, manufactured by Cribben and Sexton Co., Appliance.

601-58-SA—Universal Gas Space Heaters, Models 30, S30, M30, 45, S45, M45, 65, S65 and M65, manufactured by Cribben and Sexton Co., Appliance.

602-58-BZ—B.B.—2425-2435 Cropsey Avenue, northeast corner of Bay 37th Street, Block 6892, Lot 7, Borough of Brooklyn, Alt. 2793-58—re change in use from public garage to bowling alleys—residence use district.

603-58-BZ—B.B.—3301-3313 Fort Hamilton Parkway and 4-26 Dahill Road, southwest corner, Block 5303, Lot 59, Borough of Brooklyn, Alt. 2268-58—re parking of motor vehicles—residence and business use district.

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770-45-SM—Cortland Emery Aggregate, manufactured by Walter Maguire Company, Inc., reopened for test and report.

336-55-SA—Metalmaster Oil Burner and Silent Heat Distributing Corp., Oil Burner, Models A-1, A-2, A-3 and A-11, manufactured by Metalmaster Corp., reopened for report as to additional trade name, Appliance.

511-52-SA—Norman Three-Sixty Gas-fired Unit Heater, Model RHD-100A, manufactured by Norman Products Co., reopened for test and report as to additional models, Appliance.

349-52-SA—Vol. II—Janitrol Unit Heater, Models BCCA-05, BCC-05, BCCL-05 Series and FES-05, manufactured by Surface Combustion Corp., reopened for test and report as to additional models, Appliance.

367-49-SA—Vol. II—Armstrong Oil Burner, Model D1, D1-2 and D2, manufactured by Armstrong Furnace Co., reopened for report as to additional trade name, Appliance.

47-47-SA—Holland Oil Burner, Model P-2, manufactured by Holland Furnace Co., reopened for report as to change of model designation, Appliance.

788-53-SM—Eagle Safety Cans (1 gal., 2½ gal. and 5 gal. capacity equipped with flame arrestors or screen strainers); (containers for temporary storage of flammable liquids), manufactured by Eagle Manufacturing Co., reopened for report as to smaller safety cans, Material.

247-56-BZ—Vol. II—B.Q.—160-30 Cross Bay Boulevard, west side, 80 feet north of 161st Avenue, Block 14030, Lot 1, Howard Beach, Borough of Queens, N.B. 1585-58—re bowling alleys, snack bar, kitchen, storage room, parking of patrons and employees cars, etc.—business and residence use district.

793-20-BZ—Vol. II—B.B.—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn, Alt. 1126-58—re self service market and dance hall, etc.—business and residence use district.

479-39-BZ—Vol. III—B.M.—184-194 Ludlow Street and 207-215 East Houston Street, southeast corner, Block 412, part of Lot 53, Borough of Manhattan, N.B. 104-58—re gasoline service station, auto washing—non automatic, lubrication, office, parking and storage of more than 5 motor vehicles, etc.—business use district.

377-57-BZ—Vol. II—B.Q.—45-22 to 45-30 162nd Street, west side, 200 feet south of 45th Avenue, Block 5440, Lots 51 and 54, Flushing, Borough of Queens, Amendment to Alt. 590-57—re further increase in size and extension of use—retail use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

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RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)...	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
Smoking in Factories, Rules for..	Sept. 7, 1937—Vol. 22, No. 36
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	April 15, 1958.
Sprinkler, Rules	Mar. 4, 1958.
Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	June 7, 1932—Vol. 17, No. 23
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

OCTOBER 28, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, October 28, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor on an existing masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

Laid over from October 21, 1958, to October 28, 1958, for hearing; applicant to comply with requirements as to notice to owners in area of notification.

69-58-BZ

APPLICANT—Leonard F. Rothkrug, for Shenbro Realty Corp., owner; Sol Dwork, lessee.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of one apartment on the ground floor of a multiple dwelling as a clinical laboratory for a term of ten (10) years.

PREMISES AFFECTED—1686 Grand Boulevard and Concourse, northeast corner of East 173rd Street, Block 2823, Lot 36, Borough of The Bronx.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

CALENDAR

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

91-41-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Getty Realty Corporation, owner; Broadcast Associates, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the increase in the number of broadcasting stations from one to two stations and extend the term of the variance, previously granted, for a term of five (5) years.

PREMISES AFFECTED—2-6 East 61st Street and 795-798 Fifth Avenue, southeast corner, Block 1375, Lot 67, Borough of Manhattan.

422-58-BZ

APPLICANT—Leonard F. Rothkrug, for Joseph Katz and Martin Barell, owners.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the existing patron's and employees' parking lot from the business use portion to the residence portion of the plot for a stated term of fifteen (15) years as accessory to a retail supermarket in the business use portion of the plot.

PREMISES AFFECTED—2532-2554 86th Street, south side, from Bay 40th to Bay 41st Street, 1-11 Bay 40th Street and 2-12 Bay 41st Street, Block 6868, Lots 37, 49, 50 and 51, Borough of Brooklyn.

256-45-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Angelo, Sebastian and Guiseppe Rodolico and Vincenzo Bongiorno, owners; Aluminum Fabricators, Inc., lessee.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired May 13, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail and residence use district, the change in use from garage for more than five motor vehicles, to manufacturing and storage of aluminum building products for a term of ten (10) years.

PREMISES AFFECTED—1736 Pacific Street, south side, 75 feet of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn.

1070-47-BZ

APPLICANT—Skyline Collision Inc., lessee, for Josephine Stock, owner.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired March 19, 1951 and to obtain Certificate of Occupancy—decision of the Borough Superintendent, previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from auto body painting, to auto body painting, body and fender repair work and welding and spraying.

PREMISES AFFECTED—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gaso-

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line service station, lubritorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

Laid over from July 1, 1958, to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Green Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the local Board.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15, inclusive, Borough of Brooklyn.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans; then to October 28, 1958, applicant to file further revised plans carrying out the instructions given by the Board at the meeting of July 29, 1958; and for decision.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence

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use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector; then to October 28, 1958, for inspection and decision; hearing closed.

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from public garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an "E-1" area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side,

225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958—as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

122-58-BZ

APPLICANT—Herman Horowitz, for Berno Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner; Research Animals Inc., under contract to purchase.

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SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under sections 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

Laid over from May 6, 1958, to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, to permit inspection of site of present operations and in Manhattan No. 252 West 69th Street, for inspection and decision; then to October 28, 1958, for applicant to submit revised plans.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

Hearing continued from October 7, 1958, to October 21, 1958, applicant to file corrected plans and record of permits in the Building Department; then to October 28, 1958, for inspection and decision; applicant to file corrected plans; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 28, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, October 28, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

899-47-SA

APPLICANT—Bryant Division of Carrier Corporation, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional models of Gas-Fired Forced Air Furnaces, namely Model 385—re Bryant Winter Air Conditioner; previously approved.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional trade names—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

499-50-SA

APPLICANT—Bryant Manufacturing Company, for Affiliated Gas Equipt., Inc., owner.

SUBJECT—Application for a reopening and amendment of resolution as to new Model designations, namely Model 387—re Bryant Gas-fired Winter Air Conditioner, Model BA 87; previously approved.

350-51-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re ABC Oil Burner, Model 40, Thatcher Furnace Co. under name of Thatcher Oil Burner, Models 751-1, 751-2 and 751-3, Mt. Hawley Div. 1 of Bryant Mfg. Co.—Mt. Hawley Div. Model 40 Oil Burner; previously approved.

489-54-SA

APPLICANT—Delco Appliance Div. of General Motors Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc., under Petroleum, Heat & Power Co., Models D-2 and D-3, Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

720-56-SA

APPLICANT—Burnham Corporation, Boiler Division, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas boiler "Holiday 70"—re Holiday No. 60 Gas Boiler, Models 4-60, 5-60, 6-60, 7-60, 8-60, 10-60 and 12-60; previously approved.

176-58-SM

APPLICANT—Temp-Resisto Drapery Corporation, owner.

SUBJECT—Application November 7, 1957—Temp-Resisto Drapery Lining, approval of.

667-54-SA

APPLICANT—Berger Furnace Division of Burnham Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Berger Gas-fired Warm Air Furnace (various models); previously approved.

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquefied Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

213-58-A

APPLICANT—Lama, Proskauer and Prober, for Barney Tall, owner.

SUBJECT—Application April 8, 1958—Appeal from a de-

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cision of the Borough Superintendent, re frame building—public occupancy, egress, live load.
PREMISES AFFECTED—595 Saratoga Avenue, east side, 56 feet, 5½ inches north of Sutter Avenue, Block 3515, Lot 74, Borough of Brooklyn.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.
SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.
PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, east of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

370-58-A

APPLICANT—Lama, Proskauer and Prober, for Gur Aryeh Preparatory School, owner.
SUBJECT—Appeal filed June 11, 1958 from a decision of the Borough Superintendent, re exits and construction.
PREMISES AFFECTED—1122 East 21st Street and 2021-2025 Avenue J, northwest corner, Block 7584, Lot 1, Borough of Brooklyn.

58-58-A

APPLICANT—James E. Casale, for Louis and Mildred Robbins, owners; American Friends of the Middle East, Inc., lessee.
SUBJECT—Application February 17, 1958—Appeal from a decision of the Borough Superintendent, re Class III construction—commercial occupancy, stairs, etc.
PREMISES AFFECTED—47 East 67th Street, north side, 120 feet west of Park Avenue, Block 1382, Lot 31, Borough of Manhattan.

773-57-A

APPLICANT—H. E. Horwood, for Dwight C. Harris, Rex Perpall and Lita Harris, owners.
SUBJECT—Application reopened September 23, 1958—Appeal from a decision of the Borough Superintendent—re Class 3 construction, egress, etc., factory.
PREMISES AFFECTED—196-198 Chambers Street, south side, 96 feet 6 inches east of West Street, Block 138, Lot 34, Borough of Manhattan.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.
SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.
PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 5, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 5, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.
SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.
PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.
SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.
PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.
SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.
PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.
SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—3225 East 222nd Street, northwest corner of Baychester Avenue, Block 4880, Lots 23 and 30, Borough of The Bronx.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.
SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.
PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.
SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.
PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Segune Avenue, Block 6699, Lot 1, Princess Bay, Borough of Richmond.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.
SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hands tools only, office, sale and storage of auto

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accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, auto washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re (decision of the borough superintendent) under section 7e, of the zoning resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn. Laid over from October 30, 1956 to November 27, 1956,

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to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957, at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the borough superintendent—re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

Laid over from September 30, 1958, date to be set pending information from the applicant as to title to premises and lease to tenant; and for inspection and decision; hearing closed; now set for November 5, 1958; now set for November 5, 1958.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175-12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

Laid over from October 21, 1958, to November 5, 1958, for inspection and decision; hearing closed.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

Laid over to November 5, 1958, for inspection and decision; hearing closed.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling that exceeds the permitted area coverage, exceeds the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

Laid over from October 21, 1958, to November 5, 1958, for inspection and decision; applicant to submit measured drawings and a copy of the map of the Planning Commission showing the zoning as last adopted; hearing closed.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed; then to November 5, 1958, for statement from Park Department as to actual time of development of subject site for park purposes and for applicant to submit sworn to statement that owner will waive any claim for damages if and when property is so taken for the proposed extension to building.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 5, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 5, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

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47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

925-54-A

APPLICANT—Clearview Gardens 1st through 6th Corporations, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket—Appeal from orders of the Fire Commissioner—re certificated men in boiler rooms.

PREMISES AFFECTED—160-22, 160-31 16th Avenue; 157-57, 157-58, 160-12 160-35 and 163-66 17th Avenue; 166-30 17th Road; 168-18 18th Avenue; 199-48 19th Avenue; 199-17 and 199-50 21st Avenue; 199-19 22nd Avenue; 15-31 159th Street; 15-43, 16-16, 16-25, 17-08 and 18-11 160th Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 16-14 163rd Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 17-28 201st Street; 19-32 and 21-36 202nd Street; 17-29 Utopia Parkway; 163-06, 163-45 and 164-28 Willets Point Boulevard and 158-14 and 160-32 Cross Island Boulevard; Block 4742, Lot 22, Block 4743, Lot 1, Block 4744, Lot 28, Block 4746, Lot 35, Block 4747, Lot 38, Block 4754, Lot 1, Block 4756, Lot 1, Block 4758, Lot 10, Block 4767, Lot 1, Block 5730, Lot 1, Block 5740, Lot 139, Block 5750, Lot 6, Blocks 5778, 5781, 5784 and 5787, Lots 1, Flushing, Borough of Queens.

590-58-A

APPLICANT—Leonard F. Rothkrug, for 512 Fulton Street, Corp., owner; J. W. Mays, Inc., lessee.

SUBJECT—Application October 9, 1958—Appeal from a decision of the Borough Superintendent, re proposed escalators, cellar to 3rd floors.

PREMISES AFFECTED—263-273 Livingston Street and 22-30 Hanover Place, northwest corner, Block 160, Lot 29, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

Hearing postponed from October 7, 1958, to November 12, 1958, at the request of the applicant to revise his plans.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rus-ciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

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PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Kolodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

386-58-BZ

APPLICANT—Unger and Unger, for Alex Lifschutz, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of a one story extension with less than the required setback.

PREMISES AFFECTED—616 East 19th Street, southwest corner of Foster Avenue, Block 5239, Lot 44, Borough of Brooklyn.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for further inspection and decision.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within

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75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area; then to October 21, 1958, for applicant to send out notices by regular mail and for inspection; then to November 12, 1958, for further inspection and decision.

HARRIS H. MURDOCK, *Chairman*,

NOVEMBER 12, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 12, 1958* at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee.
SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis, owner.
SUBJECT—Application reopened January 28, 1958 as Vol. II Appeal from a decision of the Borough Superintendent re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08 40th Road, southeast corner, Block 403, Lot 43, Long Island City, Borough of Queens.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben Beverly, owner; Ben Beverly Equipment Co., Inc., lessee.
SUBJECT—Application June 8, 1955—Appeal from a decision of the Borough Superintendent—re frame building—factory use.

PREMISES AFFECTED—38-02 28th Street, southwest corner of 38th Avenue, Block 386, Lot 16, Long Island City, Borough of Queens.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.
SUBJECT—Application August 14, 1956—Appeal from a decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.
SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, building being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.
SUBJECT—Application June 4, 1958—Appeal from a deci-

sion of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 18, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 18, 1958*, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.
SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

CALENDAR

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Ave., southeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue (Street), north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

457-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of a vacant plot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2330-2334 Cambreleng Avenue, east side, 274.52 feet south of East 187th Street, Block 3089, Lots 18-19-20, Borough of the Bronx.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9 1/8 inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

272-56-BZ

APPLICANT—John Sellers Yates, for John Sellers and Marguerite T. Yates, owners.

SUBJECT—Application March 2, 1956—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of an extension for an additional entrance to an existing one family dwelling with less than the required setback.

PREMISES AFFECTED—961 Todt Hill Road, east side, 15.05 feet south of Coventry Road, Block 896, Lot 45, Dongan Hills, Borough of Richmond.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, and 30-66 79th Street, northwest corner, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

CALENDAR

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

195-57-BZ

APPLICANT—Harry A. Yarish, for Ethel Weissman, owner.

SUBJECT—Application March 18, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the change in occupancy of a two car garage to a one (1) family dwelling.

PREMISES AFFECTED—3844 Laurel Avenue, south side, 120 ft. east of Highland Avenue, Block 6976, Lot 13, Borough of Brooklyn.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection;

hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 18, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November 18, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.

SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.

PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:

289-58-BZ

APPLICANT—Leo Kornblath, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only,

non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, OCTOBER 21, 1958, 10 A.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, October 7, 1958, were approved as printed in the Bulletin of October 14, 1958, Vol. 43, No. 41.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Samuel Bodian, Park Dept.

ACTION OF BOARD—Laid over to November 5, 1958, at 10 A. M. for statement from Park Department as to actual time of development of subject site for park purposes and for applicant to submit sworn to statement that owner will waive any claim for damages if and when property is so taken for the proposed extension to building; hearing previously closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Theresa DiAngelo and Lena Incorvaia.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the

gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; hearing previously closed.

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor on an existing masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George Meltzer.

For Opposition: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. for hearing; applicant to comply with requirements as to notice to owners in area of notification.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 10 A.M. for inspection and decision; applicant to file corrected plans; hearing closed.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

MINUTES

APPEARANCES—

For Applicant: Kenneth Milnes and James A. Flood.

For Opposition: M. Bonvicino.

ACTION OF BOARD—Laid over, date to be determined for inspection and decision; hearing closed.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing, non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175.12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Laid over to November 5, 1958, at 10 A.M. for inspection and decision; hearing closed.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing, non-automatic, minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Crinnion.

For Opposition: None.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A.M. for further inspection and decision; hearing closed.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Louis Riger.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A.M. for further inspection by members of the Board, and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station

with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Marie A. Rossano, Paul A. Fino, Robert V. Sabatini, Minnie Rossano, Nancy Lomonaco, H. Rothenberg, Mrs. A. Rothenberg, Mrs. Gertrude Cain, Mrs. Rose Gruendal, Mrs. Josephine Rossi, Mrs. A. Baccei, Mrs. Carolina Moirano, Tom Lampone, Bernard Reilly, Mrs. M. F. Housen, Mrs. Veronica Zawistowski, Lillian Pozzuto, Frances E. Privitera, Carmela Reilly, Isanto Santoro, Biagio Santo, Achille DiCarluccio, Emilia Pallone and Harry Gries.

For Administration: John J. Saunders, B'd of Education.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A.M. for further inspection and decision; hearing closed.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem, Yetta Git and Isadore Git.

For Opposition: Anna Elenberg.

ACTION OF BOARD—Laid over to November 5, 1958, at 10 A.M. for inspection and decision; hearing closed.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling to exceed the permitted area coverage: exceed the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph F. Schleider.

For Opposition: Jan Mendelsohn, James Celiberti, Adolph Tellanio, Mariaane Almoslino, Thomas R. Onorato, Frederick W. Walter, Jr., Helena Sommer, Josephine Tellarico and Donald Noble.

ACTION OF BOARD—Laid over to November 5, 1958, at 10 A.M. for inspection and decision; applicant to submit measured drawings and a copy of the map of the Planning Commission, showing the zoning as last adopted; hearing closed.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

MINUTES

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)-two story apartments units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

APPEARANCES:

For Applicant: Joseph Trapani.

For Opposition: None.

ACTION OF BOARD—Taken off calendar and referred to examiner for setting of new date of hearing.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to section 36 General City Law re—Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Trapani.

For Opposition: None.

ACTION OF BOARD—Taken off calendar and referred to examiner for setting of new date of hearing.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one sixteen (16) story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry Habach.

For Opposition: Gilbert Kerlin, Ludwig I. Bono, Robert Morgenthau and Thomas Thacher.

ACTION OF BOARD—Laid over to October 22, 1958, at 10 A.M. for decision on question of continued hearing as to revised plans.

On October 22, 1958, the Board granted a continuation of the hearing in connection with revised plans, which are to be filed by the applicant, subject to the regular procedure, waiving the requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; Hearing date to be set by the Examiner after the material has been properly submitted.

THE VOTE OF OCTOBER 22, 1958—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution to permit in an F-1 district, the erection of two twelve-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry Habach.

For Opposition: Gilbert Kerlin, Ludwig I. Bono, Robert Morgenthau and Thomas Thacher.

ACTION OF BOARD—Laid over to October 22, 1958, at 10 A.M. for decision on question of continued hearing as to revised plans.

On October 22, 1958, the Board granted a continuation of the hearing in connection with revised plans, which are to be filed by the applicant, subject to the regular procedure, waiving the requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; Hearing date to be set by the Examiner after the material has been properly submitted.

THE VOTE OF OCTOBER 22, 1958

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

136-56-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Florence Meyer, owner.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a retail drug store for a temporary period of twelve (12) years.

PREMISES AFFECTED—83-87 to 83-89A Woodhaven Boulevard, east side, 157.18 feet north of Park South, Block 8890, Lot 1, Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application withdrawn at the request of the owner through the applicant in view of the many objections.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Foley 2

311-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony-Mobil Oil Co., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the maintenance of the existing gasoline service station, lubricatorium, auto laundry, minor auto repairs, office and sale of accessories, boiler room, dealer training room and storage and heater room and to change the use of that portion of the premises occupied as a used car sales lot to a parking lot for the parking and storage of more than five (5) motor vehicles and to relocate the pump islands, install new pumps and add one additional curb cut.

PREMISES AFFECTED—165-01 to 165-17 (165-01 official) Hillside Avenue and 87-45 to 87-53 165th Street, northeast corner, Block 9837, Lots 10 and 13, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on May 20, 1958 subject to regular procedure, to consider rearrangement; and

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WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 165th Street and 166th Street are in a business and residence use, C and F area, class 1 and class 1½ height districts; Hillside Avenue is in a business use, F area, class 1½ height district; Highland Avenue is in a residence use, C area, class 1 height district; that as of July 25, 1916 that part of the premises in the residence use district was in a class E area district and received the present class F area designation on May 11, 1923; and

WHEREAS, the decision of the Borough Superintendent, dated April 23, 1958 acting on Alt. Applic. No. 302-58, reads:

"1. Proposed extension of occupancy and the change of use of an existing gasoline service station, lubricatorium, auto laundry, minor repairs, office & sales of accessories, boiler room, dealers training room, storage, heater room, parking as an accessory to dealers training room, two car garage and sales & display of used cars only to—gasoline service station, lubricatorium, auto laundry, minor repairs, office & sales of accessories, boiler room, dealers training room, storage, heater room and parking and storage of motor vehicles on a plot located partly within a business use district and partly within a residence use district is contrary to Art. II Sect. 4 and Sect. 3 of the Zoning Resolution and is contrary to B.S.A. resolution Cal. #311-46-BZ and is hereby referred back to the Board for reconsideration."

and

WHEREAS, the applicant states that the premises consist of a plot, 184.6 feet frontage by 100.4 feet in depth, now developed with a gasoline service station consisting of three 1500 gallon gasoline tanks and four dispensing pumps; that the premises are also developed with an accessory building of class 3 construction, having a frontage of 109 feet and an irregular depth of 29 feet 9 inches, and now occupied as a lubricatorium, auto laundry, minor auto repairs, office and sales of accessories, boiler room, dealers training room, storage and heater room; that the open portion of the plot is now being used for parking as an accessory to dealers training room, sales and display of used cars only, and two car garage; that it is proposed to maintain the present legal uses of lubricatorium, auto laundry, minor auto repairs, office and sales of accessories, boiler room, dealers training room, storage and heater room; that it is further proposed to add the use of parking and storage of motor vehicles; that the four existing pumps will be replaced with four low approved type metal pumps starting 40 feet east of 165th Street, with a distance of 29 feet 6 inches between the new 14 foot pump islands; that the pumps will be set 10 feet in back of the Hillside Avenue building line as originally approved by the Board; that the total frontage for the gas station will be 184.60 feet on Hillside Avenue; that one additional 30 foot curb cut is proposed on Hillside Avenue; and

WHEREAS, the applicant states that the present legal use of gas station, lubricatorium, auto laundry, minor auto repairs, office and sales of accessories, boiler room, dealers training room, storage, heater room, parking as an accessory to dealers training room, were finally established under Alt. Applic. No. 825-55 and under Cal. No. 311-46-BZ; that Certificate of Occupancy No. 117219 was issued for the above uses; that the legal two car garage use was established under N.B. Applic. No. 2684-48 and Certificate of Occupancy No. 107566 was issued for said use; that the legal use of sales and display of used cars only was established under Applic. No. Cor. 1020, and Certificate of Occupancy No. 2483 was issued for this use; and

WHEREAS, the applicant contends that the addition of the large area for parking and storage of motor vehicles will help to alleviate the acute parking problem in the area, and the enlargement of the gas station will provide a better and more efficient service to the people of this community

and to the transit trade; that the proposed additional use of parking and storage of motor vehicles is permitted in the business use portion of the plot; and

WHEREAS, the applicant states that the present owner has held title to the property since November 1, 1944 and June 25, 1957; that the assessed valuation of land is \$96,000 and of the building \$36,500 making a total of \$132,500; that the building was erected in 1946 and 1948; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which noted that the adjoining building is now used for the sale of used cars and the proposed use for subject property is parking; the committee recommended that the application be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 26, 1950, as thereafter amended by resolution adopted through April 10, 1956, by adding thereto:

"that in the event the owner desires to occupy the adjoining lot, No. 10, for the parking and storage of motor vehicles in place of the existing use of sale of used cars, such use may be permitted as an adjunct to the gasoline service station, but not as part thereof, on consideration that the plot shall be leveled substantially to the grade of hillside Avenue, surfaced with clean gravel or steam cinders treated with a binder and properly rolled; that on all lot lines there shall be erected a woven wire fence of the chain link type, not less than 5 feet, 6 inches in height on a masonry base, except where masonry walls of adjoining buildings occur and except that the fence on the lot line between this plot and the existing gasoline station may be removed to provide a vehicular entrance not over twenty feet in width between this proposed parking lot and the gasoline station; that the sidewalk and curbing abutting the premises on Hillside Avenue shall be repaired or constructed to the satisfaction of the Borough President; that the existing curb cut may be relocated as proposed, and widened to 30 feet in width and any portion of the existing curb cut not incorporated shall be filled with proper curbing; that signs shall be restricted to a permanent sign attached to the fence at the entrance, advertising the parking and storage use, the rates charged and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet, shall not be illuminated nor extend beyond the building line; that suitable bumpers shall be maintained on all lot lines for protection to walls and fences; that where the grade of the lot at the rear is higher than the grade of Hillside Avenue, such portion shall be set off with a retaining wall and the highest portion maintained as proposed as a terrace for shrubbery and other suitable planting; that during the term of this variance the premises shall be occupied for no use than as herein permitted; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within six months from the date of this resolution."

707-48-BZ—Vol. II

APPLICANT—Joseph B. Lynch for Ribelle V. Perotto, owner, Esso Standard Oil Company, lessee.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under section 7e and 7h of the Zoning Resolution, to permit in a residence use district at an existing gasoline service station previously granted by the board, an extension of the variance for an additional term of fifteen (15) years, the enlarging of the present accessory service bay, the additional uses of minor auto repairs with hand tools only for adjustments maintained solely within the accessory building and the parking of motor vehicles, it is also proposed to make minor changes to the curb cuts on Parsons Blvd. to install six (6) additional 550 gallon gasoline tanks for

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a total of twelve such tanks and rearrange one gasoline pump island.

PREMISES AFFECTED—77-02 Parsons Boulevard, southwest corner 77th Avenue, Block 6812, Lot 39, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch and Louis Heller.

For Opposition: None.

For Administration: John J. Saunders—Bd. of Education.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 17, 1958 subject to regular procedure, to consider additional uses; and

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Parsons Boulevard, 77th Avenue 77th Road and 153rd Street are in a residence use, DD area, class ½ height district; that on July 25, 1916 the instant plot was zoned business use for a depth of 100 feet parallel to Parsons Boulevard, and also, both sides of Parsons Boulevard were in a business use district for a depth of 100 feet in 1916; that on September 18, 1947 the City Planning Commission adopted an amended resolution, rezoning the plot, as well as both sides of Parsons Boulevard, within the area of the radius diagram, from business to residence use; that D area was in effect on July 25, 1916 and same was changed to DD area on May 4, 1953; that there has been no change in the class 1 height district; that Section 7A of the Zone Law does not apply; and

WHEREAS, the decision of the Borough Superintendent, dated May 8, 1958 acting on Alt. Applic. No. 908-58, reads:

"1. The extension in area of an existing gasoline service station accessory building and the additional uses of minor auto repairs with hand tools only and the parking of motor vehicles in a residence use district is contrary to Art. II Section 3 of the Zoning Resolution and also contravenes Cal. No. 707-48-BZ of the Bd. of S&A.

2. Proposed re-arrangement of present curb cuts is contrary to Cal. No. 707-48-BZ, Bd. of S&A."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth; that it is proposed to enlarge the existing accessory building and provide for a one bay extension to the present accessory building, the installation of six additional 550 gallon gasoline tanks for a total of twelve such tanks, the rearrangement of one existing pump island, including pumps, and a minor change in the curb cuts on Parsons Boulevard, so that the northerly cut of 30 feet, including splays, will be 7 feet instead of 5 feet from the lot line of 77th Avenue as prolonged, and the 28 foot cut on 77th Avenue, including splays, to be 11 feet instead of 5 feet from the lot line of Parsons Boulevard as extended; that it is also proposed to include the additional uses of minor auto repairs with hand tools only for adjustments, maintained solely within the accessory building, and the parking of motor vehicles awaiting service, all for a term of fifteen years from the date of the amended action; that there will be no change in the metes and bounds of the plot; and

WHEREAS, the applicant states that the existing gasoline service station, on a plot 100 feet by 100 feet, was subject to conditional variance granted by the Board on February 15, 1949 under Section 7c, for a term of ten years, under Cal. No. 707-48-BZ; that this variance expires on February 15, 1959, as does Certificate of Occupancy No. J64709; that the variance of February 15, 1949 permitted a gasoline service station, lubritorium and auto laundry; that

the grant by the Board, of February 15, 1949, as amended by Resolution adopted March 8, 1949, was subject to a Certiorari writ brought by the Northcrest Gardens Corporation against the Board; that the action was brought in Supreme Court, Special Term, Part I, before M. Justice Stoddart; that the Certiorari petition was dismissed and the Board's determination affirmed—New Lork Law Journal October 3, 1949; that no appeal was taken from the decision of the Supreme Court; that it is to be noted that the Northcrest Gardens Corporation is no longer owner of any property deemed within the affected area; and

WHEREAS, the applicant further states that as included in Vol. I of this application, the existing site, 100 feet by 100 feet, was part of a larger parcel which covered the entire frontage on the west side of Parsons Boulevard between 77th Avenue and 77th Road; that this huge parcel has been reapportioned in the Tax Department and the instant plot is now known as lot No. 39; that the balance of the plot, still under the same family ownership and identified as lot No. 44, is not included in this application; that Esso Standard Oil Company now holds a long term lease on this going gasoline service station; and

WHEREAS, the applicant also states that diagonally opposite the instant plot, in block 6826, lot No. 1, there now exists a public school playground and Junior High School No. 168; that the present gas station was permitted in a residence use district on a variance from the Board in Resolution adopted February 15, 1949 under Cal. No. 707-48-BZ and Cal. No. 836-48-A; that at this time the Board found that the gas station, on a portion of the plot which was established prior to effective zoning on June 15, 1925, was a permissible use in a business use district and that there has been no permanent abandonment of this use as a gas station, and for further particulars covering the vested right of the gas station use, prior to the amendment in 1925 prohibiting this use in a business use district, reference is made to statement of facts and digest of Vol. I; that the present station was erected in 1950, after Court action, and Certificate of Occupancy No. Q64709 was issued on June 30, 1950; that at the time of completion of the service station, the school and school playground had not been selected or designated for the aforementioned site; that the Junior High School was opened 1952-53 and the school playground in 1956; that pursuant to Section 21A, it is felt that there is no contravention of this section of the Zoning Resolution; that as shown on the 21A diagram, the entrance gates to the playground are more than 200 feet from the existing curb cuts, as slightly altered or rearranged, of two 30 foot cuts, including splays, on Parsons Boulevard and one 28 foot cut, including splays, on 77th Avenue; that the entrance gates to the Junior High School are more than 287 feet from the gas station; that there is no connection between the playground and the school, and as a matter of fact, the level of the playground is about four feet higher than the school yard; that accordingly, there is no entrance to, or exit from the present gas station on the same street between the same intersecting streets, nor within 200 feet measured along the usual line of street travel from any entrance to, or exit from the public school playground or Junior High School located in block 6826, lot 1—all in accordance with Section 21A of the Zoning Resolution; that existing conditions indicate the present gas station substantially in accordance with Resolution adopted on February 15, 1949, as amended through April 25, 1950 and known as Cal. No. 707-48-BZ, Vol. I; and

WHEREAS, the applicant contends that the increase in new homes and developments, together with the vast number of automobiles, makes it necessary to enlarge the accessory building to the usual three service bays and the increasing of the gasoline storage system to twelve tanks; that the Board has recently approved an extension and reconstruction of the service station at the northeast corner of Parsons Boulevard and 75th Avenue, under Cal. No. 584-56-BZ; that in addition, zoning variances have been granted for the Socony station at the southeast corner of Parsons Boulevard and 75th Avenue under Cal. No. 247-54-BZ; that the Gulf station at the northeast corner of Parsons Boulevard

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and Union Turnpike under Cal. No. 802-46-BZ and the Sinclair station at the northwest corner of Parsons Boulevard and Union Turnpike under Cal. No. 321-20-BZ; and

WHEREAS, the applicant states that the present owner has held title to the property since March 4, 1949; that the assessed valuation of land is \$32,000 and of the building \$18,000 making a total of \$50,000; that the building was erected in 1949; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the changes proposed should be permitted and that requirements be made to overcome as far as possible the objections to the maintenance as voiced by adjacent owners.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 15, 1949, as thereafter amended by resolutions adopted through April 25, 1950 by adding thereto:

"that in the event the owner desires to increase the size of the accessory building by a new addition to the south and to change the size of the curb cuts to Parsons Boulevard and to add six 550 gallon approved gasoline storage tanks, making a total of twelve such tanks, and other minor changes now proposed and indicated on plans filed with this application marked "Received May 27, 1958", 3 sheets, and "September 4, 1958", 3 sheets, such changes may be made *on condition* that in all other respects the resolution above referred to shall be complied with; that the balance of the premises under the same ownership shall not be used for any use not permitted in a residential use district and in no event for any use not permitted by the Board in connection with this 100 feet by 100 feet gasoline service station under lease to the Esso Standard Oil Company and to effectuate this there shall be erected on the lot from the one hundred foot gasoline service station area to the rear line of the premises to the west a woven wire fence of the chain link type on a masonry base one foot in height to a total height of five feet six inches in height with no openings therein; that a suitable fence shall be maintained along the building line of Parsons Boulevard from the gas station to 77th Road and along 77th Road to the rear lot line; that there shall be no sale of any product other than as herein permitted as covered by the words, "gasoline service station and legal accessory thereto"; that there may be under Section 7e, for a similar term, minor auto repairs with hand tools only for adjustments maintained solely within the accessory building for adjustments; that the term of the variance expiring on February 15, 1959 may be extended for an additional term of fifteen years from such date *on condition* that the terms of this resolution shall be complied with; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

884-51-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Pasquale Palagano, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—re decision of the Borough Superintendent under section 7h of the Zoning Resolution, to permit in a residence use district the extension of the present parking lot to include adjacent lot 17.

PREMISES AFFECTED—1818-1830 Bergen Street, south side, 125 feet east of Ralph Avenue, Block 1451, Lots 14 and 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leon Komondorea.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on July 23, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1 height district; Bergen Street and St. Marks Avenue are in residence, local retail and business use, C area, class 1 height districts; Ralph Avenue is in a local retail use, C area, class 1 height district; Howard Avenue is in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 5, 1957 acting on Alt. Applic. No. 164-57, reads:

"1. Proposed parking lot for motor vehicles in residence use district is contrary to Art. II Sec. 3 of Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 135 feet frontage by 127 feet 9½ inches in depth; that it is proposed to increase the area of an existing day and night parking lot for more than five motor vehicles, previously approved by the Board; that the lot would be increased 60 feet on Bergen Street, which has already been included in the 135 foot frontage; and

WHEREAS, the applicant states that the parking lot has been in operation in accordance with the recommendations set forth by the Board on December 28, 1951; that this has greatly helped to alleviate the parking situation in the vicinity, but the problem of parking still prevails; that due to the demand for more parking space, the owner purchased the 60 foot parcel adjoining his parking lot; that the overflow of parking on the new parcel helped further to mitigate the bumper to bumper parking of cars in the street; and

WHEREAS, the applicant contends that the variance for the existing parking lot expires on June 22, 1959, and it is requested that said variance now be extended for a period of five years for the parcel mentioned herein, so that the variance on both parcels will expire simultaneously; and

WHEREAS, the applicant states that the present owner has held title to the property since May, 1947 and that the assessed valuation of land is \$11,100; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 1, 1952, as thereafter amended by resolutions adopted through June 22, 1954 by adding thereto:

"that in the event the owner desires to increase the parking lot by the addition of the adjoining lot, No. 17, as shown on plans filed with this application marked "Received July 3, 1957", 1 sheet and "August 29, 1958", 3 sheets, such extension may be permitted *on condition* that the requirements of the resolution above cited shall be complied with as to fencing and surfacing of such lot No. 17, so that Lot 14 and Lot 17 may be operated together; that the fence on the easterly lot line of Lot 14 may be partially removed so as to permit communication between the two lots; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

25-58-BZ

APPLICANT—Patrick D. Concagh, for Ivy Herbst, owner.

SUBJECT—Application January 24, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of two class I structures to be used for a battery of 40 single individual one car garages with one curb cut 129' 0" on Teller Ave.

PREMISES AFFECTED—1192-1200 Teller Avenue, southeast corner of East 168th Street, Block 2430, Lot 22, Borough of The Bronx.

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APPEARANCES—

For Applicant: Patrick D. Concagh.

For Opposition: None.

For Administration: John J. Sanders Dept. of Education.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; applicant to file additional plan showing school and playground entrances and exits on all streets; and for the Board of Education to report as to conditions of the school after hours and information as to the number of children from kindergarten to sixth grade; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East 168th Street are in a residence use, B area, class 1¼ height district; Teller Avenue and Clay Avenue are in residence and business use, B area, class 1¼ height districts; East 167th Street are in a business use, B area, class 1¼ height district; that these designations go back to 1916 without change and there is no petition pending for any change in zone; and

WHEREAS, the decision of the Borough Superintendent, dated December 27, 1957 acting on N.B. Applic. No. 1522-57, reads:

"1. The proposed 40 one-car garages in a Residential use district is contrary to Article II Sec. 3 of the Zoning Resolutions.

2. The proposed curb cut for commercial purposes in a residential use district is contrary to Sec. 3 of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 73.49 feet in depth, irregular; that this plot was recently carved out of a larger plot of vacant land which extends southward from the southeast corner of Teller Avenue and East 168th Street, a distance of 564 feet; that this larger plot was bought by the present owner from the City of New York on May 22, 1957 at auction, during a delinquency tax sale; that subsequent to the sale, the owner carved out the present site, which is now tentatively indicated on the Tax Maps as lot No. 22; that the balance of the plot is known as lot No. 5; that lot No. 22 is not, as yet, separately assessed; that the assessment levied is against the entire plot of 564 foot frontage; that it is proposed to construct upon the site two, class one structures; that one of these structures will be erected upon the front of the plot and will consist of two stories, one above and one below grade, and the other will be erected upon the rear and consist of one story; that each structure will be divided into a number of individual spaces, separated by partitions, for use as single, one-car garages; that the upper story of the front structure will have 13 such spaces opening directly at grade on Teller Avenue, and the lower story of this structure will also have 13 such spaces opening towards the center of the plot; that the building at the rear will have 14 such spaces, also opening towards the center of the plot; and

WHEREAS, the applicant states that there is a sharp difference in grade between the front and the rear of the plot, being approximately 12 feet at the site and varying to about 18 feet further south, and except for the existence of an old abandoned masonry retaining wall, which occurs along the rear lot line, the difference would be much greater; that this wall starts at the level of the yards of the properties adjoining at the rear and rises to a point approximately at a level with the fourth story; that adjoining the site at the north, which is apparently a continuation of East 168th Street, there is a flight of stairs which connects Teller and Clay Avenues; that these stairs consist of over 90

steps and 6 intermediate landing platforms; that the plot is enclosed with a six foot woven wire fence which occurs along the front of the plot and along the northerly lot line; that the surrounding area is developed for the most part with residential uses, five-story apartment buildings predominating; that Public School No. 53 occupies the block front on East 168th Street, between Teller and Findlay Avenues, and adjoining this school on the south, on lot No. 45, there is a home for the aged and infirm conducted by the Daughters of Jacob; that East 167th Street is the shopping center for the area; and

WHEREAS, the applicant further states that a survey of the records of the Department of Buildings shows that an attempt was made in 1909-1910 to develop the plot with an apartment building; that N.B. Applic. No. 1107-1909 was filed on lot 25, block 2430, which location was described as Teller Avenue, east side, 37 feet south of East 168th Street; that this is part of the present site; that the record also indicates that the construction of the foundation walls was started on February 7, 1910, and a special report by the district inspector stated that "The concrete arches for the first tier are being improperly constructed"; that it may reasonably be assumed from these entries that an attempt was made 48 years ago to develop this plot for a conforming use and that because of the difficulty of financing such a project, the effort failed; that in June of 1914, a notation in the records indicated the job was abandoned; that there is no other record on file which would indicate anything was ever done afterwards to improve this plot and it has remained vacant and unimproved ever since; that the present site, as well as the balance of lot No. 5 was acquired by the City of New York through foreclosure of a tax lien in 1950; that the property was delinquent in the payment of taxes for several years prior to 1950; that during all that time, no one has ever bothered to file a plan to improve the plot or put it into some protective use in order that it could yield some revenue and help pay taxes; that the present owner is presenting the only practical plan to improve this plot and return it once more to the City's tax rolls; that the owner has paid the City the sum of \$15,500 as the purchase price for this entire strip of vacant land, that is, the 564 foot frontage, and he is now ready, willing and able, upon favorable consideration by the Board, to undertake the additional cost of construction, as proposed in this application; and

WHEREAS, the applicant contends that a grant of this application will not adversely affect any property within this area, since the structures will consist of a series of individual one-car garages, separated by partitions; that this proposal is not for an open public garage where cars are parked in close proximity and the sum total of their exhausts of gases and fumes would tend to create a nuisance; that this method of parking and storage of motor vehicles is considerably less objectionable than open air parking; that there will be no sales of automobile products, gasoline or oil upon the premises, and each car owner will have his or her own key to a rented space; that a grant will be in harmony with the general purposes and intent of the Zoning Resolution and will be in keeping with the area surrounding the site, in that it will provide a much needed service for the large residential community in this neighborhood, and will also help relieve the traffic problem on the streets by providing off-street parking facilities; and

WHEREAS, the applicant states that the present owner has held title to the property since May 22, 1957 and that the assessed valuation of land is \$14,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 1522-57, Objection No. One be and it hereby is affirmed and that the application be and it hereby is denied.

MINUTES

96-58-BZ

APPLICANT—Burke, Green and Groh, for Susan Schott, owner; Joseph Heverin, lessee.

SUBJECT—Application March 4, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business and unrestricted district, on the business portion of the premises, the installation of gasoline tanks and pumps and the maintenance of a gasoline service station, office and sales, storage, car wash, lubritorium and open parking for more than five motor vehicles awaiting to be serviced, the proposed accessory uses will be in the existing garage building.

PREMISES AFFECTED—123-05 28th Avenue, northeast corner of 123rd Street, Block 4294, Lot 1, College Point, Borough of Queens.

APPEARANCES—

For Applicant: Robert Groh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 28th Avenue are in business and unrestricted use, C area, class 1 height districts; 123rd Street and 124th Street are in business, unrestricted and residence use, C area, class 1 height districts; 26th Avenue is in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated February 3, 1958 acting on amendment to N.B. Applic. No. 2611-56, reads:

"1. The proposed occupancy of the premises as a gasoline service station, office and sales, storage, car wash and minor repairs, lubritorium and open parking for more than five motor vehicles awaiting to be serviced in the business portion of a lot zoned partly for business and partly unrestricted is contrary to Art. II Sec. 4 of Zoning Resolution.

2. Proposed ground sign is contrary to Art. II Sec. 4 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 110 feet frontage by 194.73 feet in depth, improved with a concrete block garage 50 feet by 101 feet in size; that said property is under lease to Joseph Heverin for a period of ten years; that in the unrestricted portion of the property, there are now two existing gas pumps; that there has been no certificate of occupancy issued for this building as the same has been held up by the Department of Buildings, dependent upon the outcome of this application; that it is proposed to construct, on the business portion of the lot, a concrete island containing two gasoline pumps and fourteen 550 gallon gasoline tanks and one accessory gas pump, all shown on the vacant portion of the business property on plans submitted with this application; that it is also proposed to construct one gasoline pump on a concrete island within the interior of the garage to service cars under repair; that it is also proposed to erect two post standards and signs, one on the northeast corner of 28th Avenue and 123rd Street, which is the usual post standard and sign, and will be set on a 12 inch high concrete island; that the second post standard and sign shall be erected on the northerly property line located on the east side of 123rd Street and shall be mounted on a 12 inch high concrete island; that the curb cuts are to remain as shown on the existing conditions, with the exception of the curb cut located on the northeast corner of 28th Avenue and 123rd

Street, which it is proposed to enlarge from the present 8 feet to 23 feet; and

WHEREAS, the applicant contends that the line of zoning bisects this property at an angle, with approximately 75% being in the unrestricted use area and 25% in the business use area; that the surrounding uses of this property are almost entirely unrestricted and the granting of this variance would in no way be offensive to any business located in the area; and

WHEREAS, the applicant states that the present owner has held title to the property since November 20, 1957; that the assessed valuation of land is \$10,000 and of the building \$28,000 making a total of \$38,000; that the building was erected in 1957; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit the open space to the west of the existing garage building to be maintained as a gasoline selling area in connection with such garage substantially as proposed and as indicated on plans filed with this application marked "Received March 4, 1958", 5 sheets *on condition* that all uses now on such portion of the premises shall be removed and the premises shall be leveled substantially to the grade of 123rd Street and 28th Avenue and shall be surfaced with concrete or asphaltic pavement and shall be constructed and maintained as indicated on such plans; that the sidewalk and curbing abutting the premises on both streets shall be constructed or repaired to the satisfaction of the Borough President and no additional curb cuts shall be installed other than those now existing on such plans; that at the intersection between 28th Avenue and 123rd Street there shall be a block of concrete extending for a distance of not less than five feet along either street line from the intersection and not less than twelve inches in height; that signs shall be restricted to permanent signs attached to the facade of the garage facing west and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection of one post standard within the intersection for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to have two leaves each extending beyond the building line for a distance of not more than four feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the balance of the plot in the unrestricted use district shall be maintained in accordance with the approval therefor; that a Certificate of Occupancy shall be obtained for the complete plot having a frontage of approximately 183 feet on 28th Avenue and 105 feet on 123rd and 124th Streets; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

115-58-BZ

APPLICANT—Robert J. Crinnion, for Robert Ahders, owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the extension of parking, from the present four (4) car metal garage to include the parking and storage of more than five (5) motor vehicles on the unbuilt upon portion of the premises for a stated term of five (5) years.

PREMISES AFFECTED—1061 Ogden Avenue, west side, 70 feet north of West 165th Street, Block 2526, Lot 32, Borough of The Bronx.

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APPEARANCES—

For Applicant: Robert J. Crinnion.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, West 166th Street and West 165th Street are in local retail and residence use, B area, class 1¼ height districts; Ogden Avenue is in a local retail use, B area, class 1¼ height district; Summit Avenue is in a residence use, B area, class 1¼ height district; that as of July 25, 1916 the portion of the property within 100 feet of Ogden Avenue and the portion within 100 feet of West 165th Street was zoned as a business use district and the remainder was zoned as a residence district; that on May 20, 1952 the present use pattern became effective; that the height and area designations have not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated March 7, 1958 acting on Alt. Applic. No. 1055-57, reads:

"1. The proposed use of the lot as a parking lot for more than five motor vehicles in a local retail and residential use district is contrary to Art. II Sec. 4c and Sec. 3 of the Zoning Resolution.

2. The conversion of a garage from accessory use to commercial use in a residential zone is contrary to Art. II Sec. 3 of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 115 feet in depth; that the former frame dwelling that was erected on the plot was so deteriorated that it was demolished under Permit No. 144-57; that in 1923, two Certificates of Occupancy were issued for garages—one for a three car commercial garage and another for a one car garage; that in 1924 another Certificate of Occupancy was issued and this was for an additional one car garage; that during the intervening years one garage space has been eliminated and there now exists on the site one four car metal garage; that it is proposed to use the vacant land in front of the garages for the parking and storage of more than five motor vehicles; that the site will be adequately fenced, illuminated, surfaced, etc. and substantial bumpers shall be placed at all interior lot lines; that the proposed lot will be made to conform in all respects to the rules of the Department of Buildings relating to the use of vacant land for the parking and storage of more than five motor vehicles; and

WHEREAS, the applicant contends that the variation herein sought will not detract esthetically from the neighborhood, but only allow the owner to fully utilize his property for the use to which it is best suited; that the erection of a store building on this site would be imprudent as the area could not adequately support it; that on the other hand there exists an urgent need for additional off street parking facilities in this area to accommodate the residents living in apartment houses constructed without parking facilities; that the neighborhood is subject to the alternate side of the street parking regulations which are rigidly enforced, and which only adds to the dire need for additional off street parking areas at a fee which these people can afford; that the lot will be leased to parkers on a monthly basis only and will not endanger pedestrian traffic; and

WHEREAS, the applicant states that the present owner has held title to the property since July 31, 1957; that the assessed valuation of land is \$12,000 and of the building \$3,500 making

a total of \$15,500; that the building was erected in 1923; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles of the pleasure car type only, in addition to the storage of four cars in the existing garages formerly accessory to a residence building which has been removed, on condition that the premises shall be leveled substantially to the grade of Ogden Avenue, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines where masonry walls of adjoining buildings do not occur, a woven wire fence of the chain link type, not less than five feet, six inches in height, with no openings therein except one to Ogden Avenue, not exceeding ten feet in width, with curb cut opposite not exceeding 12 feet in width; that such opening shall be fitted with gates which shall remain closed when the parking lot is not in operation; that curbing and sidewalks on Ogden Avenue shall be repaired or constructed to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that suitable bumpers shall be maintained against fences and walls for protection thereof; that signs shall be restricted to one sign attached to the fence near the entrance, advertising the parking and storage use, rates charged and such other information as the Commissioner of Licenses may require; that such sign shall not exceed five square feet, shall not be illuminated or extend beyond the building line; that during the term of this variance the premises shall be occupied for no other use than that herein permitted; and that all permits required shall be obtained and all work completed within six months from the date of this resolution.

152-58-BZ

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use of an existing four-story and basement building, from church and mission rooms, recreation rooms and offices to business offices and showrooms.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: Lucien David.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958, after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 63rd Street and East 62nd Street are in residence and business use, B areas, class 1½ and class 2 height districts; First Avenue is in a business use, B area, class 2 height district; Second Avenue is in a retail use, B area, class 1½ height district; that as of July 25, 1916 the entire area of the site under consideration

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was in an unrestricted use district; that on February 7, 1929 the area located within 100 feet west of First Avenue was changed to business use and the remaining portion was maintained unrestricted; that on October 9, 1947 the unrestricted portion was changed to residence use; that there has been no change in area and height zoning since July 25, 1916; and

WHEREAS, the decision of the Borough Superintendent, dated February 28, 1958 acting on Alt. Applic. No. 251-58, reads:

"1. Proposal to change the use of subject bldg., located partly in a Business Use District and partly in a Residence Use District, from church rooms, mission rooms (a public use) to offices and showrooms (a commercial use) is contrary to Art. II Sect. 3 of the Zon. Resol."

and

WHEREAS, the applicant states that the premises consist of a plot, 45 feet and 25 feet frontage by 100.5 feet and 80 feet in depth, upon which there is an existing building of fireproof construction, consisting of masonry bearing walls, steel beams, concrete arches, terra-cotta block partitions, steel stairs with slate treads and closed steel risers; that it is proposed to use the premises for business—offices and showrooms—and to remove all existing interior partitions, except stair enclosures, which consist of 4 inch thick terra-cotta blocks plastered both sides; that it is also proposed to have new openings in the stair enclosure, to be equipped with fireproof, self-closing doors in compliance with the requirements of the Building Code; that all fixtures such as toilets, kitchen equipment, etc., incidental to the present use, will be removed and new toilet facilities installed where shown on the drawings, in compliance with requirements of the Building Code; and

WHEREAS, the applicant states that the site under consideration has a total area of 6,518 square feet, of which 4,008 square feet are located in a business use district and 2,510 square feet in a residence use district; that at first floor level, the total area of the building is 5,900 square feet, of which 3,690 are located in a business use district and 2,210 in a residence use district; that the present use, which has been maintained since the erection of the building in 1894, consists of facilities for church activities, including church rooms, offices, recreation rooms and apartments on the fourth floor used as the residence of the minister, and as a janitor's apartment; that block 1438, at the north side of East 63rd Street, has business uses in areas 100 feet west of First Avenue and 100 feet east of Second Avenue; that there is manufacturing in the remaining area opposite the residence use area of block 1437; and

WHEREAS, the applicant states that the present owner has held title to the property since November 7, 1957; that the assessed valuation of land is \$52,000 and of the building \$40,000 making a total of \$92,000; that the building was erected in 1893 and 1894; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years, to permit the existing building to be remodeled and used for business offices and showrooms and for no other use, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

153-58-A

APPLICANT—Lucien David, for Fred H. Hill, owner.

SUBJECT—Application March 21, 1958—Appeal from a decision of the Borough Superintendent, re winders in required stairway.

PREMISES AFFECTED—342-344 East 63rd Street, south side, 80 feet west of 1st Avenue and 1147 1st Avenue, west side, 25 feet, 5 inches south of East 63rd Street, Block 1437, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: Lucien David.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioner Kleinert,

Commissioner Foley and Commissioner Sleeper..... 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated February 28, 1958, on Alt. Applic. 251/56, reads:

"2. Winders in a required stairway are contrary to 6.4.1.4.B.C."

and

WHEREAS, the applicant states that the building is 4 stories and basement, 58 feet 9 inches and 61 feet in height, 45 feet front on East 63rd Street and 25 feet front on 1st Avenue, of class 1 construction, erected 1894, located in a business and residence use, B area, class 1½ and 2 height districts, and used and occupied since 1894 as follows: Cellar and basement—recreation, boiler room and superintendent's office; 1st floor—lecture hall and church room; 2nd floor—church rooms and offices; 3rd floor—recreation and offices; 4th floor—minister and janitor apartments, for which no certificate of occupancy has been issued; that the building is now proposed to be used and occupied as follows: basement—offices, showrooms, storage room, boiler room and superintendent's office, 30 persons; 1st floor—offices and showrooms, 50 persons; 2nd floor—offices and showrooms, 50 persons; 3rd floor—offices and showrooms, 50 persons; 4th floor—offices, 30 persons; that the building is provided with two interior steel frame stairs with slate treads, 34 inches to 53 inches in width, enclosed in 4 inch terra cotta blocks, plastered both sides, equipped with fireproof self closing doors, and extending from roof bulkhead direct to street; and

WHEREAS, the applicant contends that the winders which occur at both east and west stairs from 2nd floor to roof, do not create a dangerous condition as the width of the treads permits a continuous smooth passage; that the elimination of the winders could be achieved only by removing the existing stairs and constructing new stairs, which would necessitate reframing of the floor structure in the adjoining areas and create a hardship to the owner; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board in connection with the Building Zone application and the Committee recommended that the appeal should not be granted recommending that new stairways without winders is a requirement that should be complied with.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 251/58, Objection No. 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

163-58-BZ

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district the use of a portion of the basement in an existing one-story and basement frame dwelling, for a clinical laboratory to serve the neighborhood physicians.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Jacob John Gibson.

For Opposition: None.

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ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 246th Street, 247th Street, Hillside Avenue and 85th Avenue are in a residence use, G-1 area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 5, 1958 acting on Alt. Applic. No. 2569-57, reads:

"1. The proposed occupancy to include a laboratory in cellar of a dwelling in a Residence Use District is contrary to Art. II Sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet frontage by 100 feet in depth, occupied as a one family frame dwelling; that it is proposed to utilize a portion of the cellar of the building as a non-public medical laboratory, under the approval of the New York City Department of Health; that the work will consist of blood counts, urinalysis and microscopic studies, as an adjunct to diagnosis and therapy by neighborhood physicians; and

WHEREAS, the applicant states that the laboratory will be operated only by him; that he resides with his family on the premises and that he is a Clinical Laboratory Director holding an approval granted by the New York City Department of Health; and

WHEREAS, the applicant contends that a grant of this application will not affect the health or safety of the occupants of the house and neighborhood; that no hazards, odors or use of animals, are required in the operation of this service; that this is a normal accessory use common to physicians who practice in their own dwellings or apartments; and

WHEREAS, the applicant further contends that the purpose of this laboratory will be to serve the needs of the sick in a simple manner through the medical profession in the community; that all work will be collected by him directly from the physician's office or through bedside visits at the patient's home; that this use will not be of a public nature and will in no way interfere with or adversely affect the surrounding community; and

WHEREAS, the applicant states that the present owner has held title to the property since November 8, 1952; that the assessed valuation of land is \$3,350 and of the building \$5,950 making a total of \$9,300; that the building was erected in October, 1952; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted as a private laboratory and not as a business and to be operated only by the owner; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e, of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years to permit the proposed use of a room in the cellar for a personal bio-analytical laboratory of the owner, a bio-analyst residing in the building, *on condition* that the premises shall be maintained as proposed and as indicated on plans filed with this application marked "Received March 26, 1958", 5 sheets, and "August 21, 1958", one sheet; that the building and occupancy shall in all other respects comply with all laws, rules and regulations applicable thereto; that no sign shall be maintained on the front of

the building but a directional sign may be maintained not over one square foot in area on the pathway leading through the sideyard to the basement door; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a Certificate of Occupancy shall be obtained.

164-58-A

APPLICANT—Jacob John Gibson, owner.

SUBJECT—Application March 26, 1958—Appeal from a decision of the Borough Superintendent re cellar occupancy as Laboratory—Frame Building.

PREMISES AFFECTED—84-13 246th Street, east side, 100 feet south of Hillside Avenue, Block 8600, Lot 61, Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: John Jacob Gibson.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper..... 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated March 5, 1958 on Alt. Applic. 2569/57, reads:

"2. The use of the cellar as a laboratory in a frame structure is contrary to 4.1.3 (5a) Bldg. Code."

and

WHEREAS, the applicant states that the building is 1 story, 18 feet in height, 26 feet 6 inches by 45 feet 4 inches in area, class 4 construction, erected 1952, located on a lot 40 feet front by 100 feet in depth, in a residence use, G-1 area, class ½ height district, and used and occupied since 1952 as follows: Cellar—boiler room, storage and laundry; 1st floor—dwelling, 1 family; that it is proposed to be used and occupied; cellar—laboratory, storage, boiler room and laundry; 1st floor—dwelling, 1 family; and

WHEREAS, the applicant states that it is proposed to utilize the portion of the cellar as a non-public medical laboratory, under the supervision of New York City Department of Health; that the laboratory work will consist of blood counts, urinalysis and microscopic studies, as an adjunct to diagnosis and therapy by neighborhood physicians; and

WHEREAS, the applicant contends that the laboratory will serve the needs of the sick through the medical profession in the community; that all work will be collected by the applicant directly from the physician's office or through bedside visits at the patient's home; that the use will not be of a public nature and will in no way interfere with or adversely affect the surrounding community; that the applicant resides on the premises with his family and therefore would exert utmost control and supervision of the proposed use; that the proposed use is a normal accessory use to medical offices of many physicians who practice in their own residence; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the application should be granted on condition.

Resolved, that the decision of the Borough Superintendent, dated March 5, 1958, acting on Alt. Applic. 2569-57, Objection No. 2 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the resolution adopted this day under Cal. No. 163-58-BZ shall be complied with; and that the building shall not be increased in height or area.

244-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Leonard and Edward Sessa, owners.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the maintenance of a free standing sign on top of the existing marquee formerly used for a motion picture theatre and

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now being altered for a catering establishment, the sign extends more than 18 inches beyond the building line.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Jamaica Avenue are in a business use, C area, class 1½ height district; 175th Street and 176th Street are in business and residence use, C area, class 1½ height districts; 93rd Avenue is in a residence use, C area, class 1½ height district; that as of July 25, 1916 that part of the premises within 100 feet of Jamaica Avenue was in a business use district and the balance of the premises was in an unrestricted use district; that on December 7, 1923 that part of the block starting 160 feet south of Jamaica Avenue was changed to a residence use district; that the present use designation within 160 feet of Jamaica Avenue became effective August 2, 1945; and

WHEREAS, the decision of the Borough Superintendent, dated April 3, 1958 acting on amendment to Alt. Applic. No. 209-58, reads:

"2. Proposed sign on existing marquee which projects beyond the bldg. line is contrary to Art. 2, Sec. 4a, sub-sections 49(a) and 49(b) of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 162.86 feet frontage by 136.97 feet in depth, presently developed with a theatre building of class 1 construction, having a frontage of 162 feet, a depth of 136 feet, and is now vacant; that it is proposed to permit the new free standing signs on top of the present marquee to extend more than 18 inches beyond the street building line; that said signs are replacements of free standing signs that now exist on top of the present marquee; and

WHEREAS, the applicant states that records indicate that the theatre and stores were erected under N.B. Applic. No. 13827-24 and Cal. No. 1090-24-BZ, for use as motion picture theatre and stores, for which Certificate of Occupancy No. 40163 was issued on March 28, 1929; that the present building is now being altered under Alt. Applic. No. 209-58 to change the use of the building from theatre and stores, to cabaret, catering, dance halls, kitchens, dressing room, employees' locker room and storage; and

WHEREAS, the applicant contends that the new free standing signs are merely replacements of present free standing signs on top of the present marquee and it is therefore requested that this application be granted; and

WHEREAS, the applicant states that the present owners have held title to the property since December 2, 1957; that the assessed valuation of land is \$40,000 and of the building \$110,000 making a total of \$150,000; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board is permitting this as a variance, as the use proposed is not for a public building under Section C26-235.0 of the Building Code; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e, of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e to permit the maintenance of the existing marquee, with a sign, as proposed and as shown on plans filed with this application marked "Received April 8, 1958", 13 sheets, *on condition* that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

245-58-A

APPLICANT—Lama, Proskauer and Prober, for Edward and Leonard Sessa, owners.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re change from theatre to catering, requires removal of marquee.

PREMISES AFFECTED—175-02 to 175-14 Jamaica Avenue and 92-05 to 92-17 175th Street, southeast corner, Block 10215, Lot 1, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 3, 1958, on amendment to Alt. Applic. 209/58, reads:

"1—The proposed change in use from a theatre to a catering establishment requires that you remove the existing marquee as per 2.4.1.4.8(g), sub-section No. 6 of the Bldg. Code."

and

WHEREAS, the applicant states that the building is 3 stories and basement, 68 feet in height, 162.86 feet front by 136.97 feet in depth of class 1 construction, erected 1927, located in business use, C area, class 1½ height district, and used and occupied since 1927 as follows: Basement—boiler room, 1st floor—theatre and stores; 2nd floor—theatre; entire building now vacant; that it is proposed to be used and occupied as follows: Basement—employees locker room, storage and ordinary use, no persons; 1st floor—cabaret, catering, dance hall and kitchen, 815 persons; 2nd floor—cabaret, catering, dance hall and kitchen, 635 persons; 3rd floor—cabaret, catering, dance hall, kitchen and dressing rooms, 800 persons; that the building is provided with four interior fireproof stairs, not less than 3 foot 8 inch wide and two exterior stairs, extending to roof by stairs and street, and yard by stairs; that egress from rear through side yard to street; and

WHEREAS, Certificate of Occupancy No. 40163 issued March 28, 1929 against N.B. Applic. 13827/24 permits the present use, number of occupants not stated; that the building is described in such certificate as of brick construction; and

WHEREAS, the applicant states that it is proposed to maintain the existing marquee on the Jamaica Avenue side of the building; that this marquee will be reduced in size and will have three new free standing steel signs, extending more than 18 inches beyond the building line; that all signs and lighting of the marquee will be neon, non-flashing; and

WHEREAS, the applicant contends that the change in use from theatre to store, cabaret, catering and dance hall is a permitted use; that the maintenance of the existing marquee, reduced in size, cannot possibly affect any of the adjoining properties as the new uses are essentially similar in nature as those permitted with marquees under the Building Code; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal

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should be granted on condition for the marquee to be reduced and maintained as proposed.

Resolved, that the decision of the Borough Superintendent, dated April 3, 1958, acting on Amendment to Alt. App. 209-58, Objection No. 1 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the resolution adopted this day under Cal. No. 244-58-BZ shall be complied with.

247-58-BZ

APPLICANT—A. H. Salkowitz, for Sunrise of Linden Boulevard, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the extension of the parking area used in conjunction with the one-story, and basement building occupied as a super market, into the residence portion of the premises. PREMISES AFFECTED—9323 5th Avenue, northeast corner of 94th Street, Block 6109, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. H. Salkowitz.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 94th Street and Gelston Avenue are in local retail and residence use, C area, class 1½ height districts; 5th Avenue is in a local retail use, C area, class 1½ height district; 92nd Street is in a local retail use, C area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 26, 1958 acting on Alt. Applic. No. 3969-57, reads:

"1. Parking of cars in a Residential use district is contrary to Art. II Sect. 3 of Zone Resolution." and

WHEREAS, the applicant states that the premises consist of a plot, 300 feet frontage by 132 feet 5¼ inches in depth; that it is proposed to extend the limits of the parking area to rear line of the plot to increase the parking facilities and to provide a curb cut along 94th Street; and

WHEREAS, the applicant states that a one story and cellar supermarket store building is presently under construction on a corner plot facing Fifth Avenue, for a width of 300 feet and extending 132 feet in depth; that the store building, which is now under construction, and the parking area extending for a depth of 100 feet, are located presently in a local retail district; that this building and plot was approved under N.B. Applic. No. 1543-57; that this approved plan called for the installation of a chain link fence along the boundary line of the residence and local retail use districts; and

WHEREAS, the applicant contends that the additional parking facilities will benefit the entire neighborhood by eliminating curb parking of patrons of stores along residential streets; and

WHEREAS, the applicant states that the present owner has held title to the property since May 14, 1957; that the assessed valuation of land is \$75,000 and of the building \$55,000 making a total of \$130,000; that the building is now under construction; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the rear portion of the plot within the residence use district to be occupied for parking and storage in conjunction with the front portion of the plot in the local retail district as permitted by the Borough Superintendent; that such additional parking lot herein permitted shall be used in conjunction with such parking lot as permitted by the Borough Superintendent solely for the use in connection with the existing store building on the plot for the storage of cars of employees and patrons; that in addition to the existing retaining wall on the rear there shall be a chain link fence of the woven wire type erected on the lot line so that the height of the fence will be five feet six inches from the grade of the parking lot at all points, such fence may be however, not over five feet six inches above the height of the retaining wall and where such retaining wall is at a lower grade the space from such retaining wall to the portion of the area actually used for parking shall be maintained unused for a distance of ten feet approximately therefrom; that the area of the parking lot shall be suitably paved with clean gravel or steam cinders and treated with a binder and rolled; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

285-58-BZ

APPLICANT—Paul Friedman, for Harredi Realty Corp., owner; Esskee Products Co., Inc., and Julius Kranzler, lessee.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a business and residence use district, C and D area district, the extension of an existing building into the residence use portion of the premises, to be used for manufacturing of garments, office, loading and unloading, and occupying more than the permitted area.

PREMISES AFFECTED—108-02 Otis Avenue, northeast corner of Van Cleef Street, Block 1962, Lot 1 (1, 35 and 36), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman and Julius Kranzler.

For Opposition: None.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; hearing postponed to September 30, 1958, at request of objector; then to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Van Cleef Street are in business and residence use, C and D area, class 1 height districts; Otis Avenue is in a business use, C area, class 1 height district; that the portion of the premises within 100 feet of Otis Avenue is presently zoned as a business district and the remainder as a residence district; that the portion of the premises within 100 feet of 108th Street is zoned as a C area district and the remainder is in a D area district; that as of July 25, 1916 the portion of the property within 100 feet of Oronte Street (Otis Avenue) as then mapped and within 100 feet of 51st Street (108th

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Street) as then mapped, was zoned as a business use district and the remainder as a residence district; that on April 21, 1955 the business portion of the property more than 100 feet from Otis Avenue was changed to its present residence designation; that as of July 25, 1916 the property was zoned as a C area district and the present D area designation for the portion more than 100 feet from 108th Street became effective on May 1, 1936; that the height designation has not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated May 2, 1958 acting on Alt. Applic. No. 2504-57, reads:

"1. The extension of the use of the premises for manufacturing of garments, office, loading and unloading space into the residence portion of a lot partly in a Residence Use District is contrary to Art. II, Sec. 3 of Zoning Resolution.

2. Area of the proposed extension for a "C" area district and a "D" area district is excessive and is contrary to Art. IV, Sec. 13(c) and contrary to Art. IV, Sec. 14(c) of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 31.29 feet frontage by 140 feet in depth, comprising three official tax lots, 1, 35 and 36; that lot 1 is in a business use, C area, lots 35 and 36 are in a residence use district—partly business until April 21, 1955—and are partly in a C area and partly in a D area district; that official lot 1 is presently improved with a one and two story building erected as follows: that on March 25, 1925, N.B. Applic. No. 2242-25 was approved for the erection of a two story and cellar building, 20 feet by 90 feet, to be occupied for stores and private garage on the first floor and dwelling for two families on the second floor; that this application was signed off as completed on March 31, 1927; that on April 6, 1954 Alt. Applic. No. 631-53 was approved to permit the erection of a one story extension to the existing building; that on April 12, 1954 Certificate of Occupancy No. Q-95417 was issued for the following occupancy: cellar—storage room and boiler; first floor—manufacturing, office, loading and unloading; second floor—dwelling—two families; that official lots 35 and 36 are presently improved with two garages for two cars each, erected about 1922, according to the records of the Tax Department; that no record of these buildings is available in the Building Department or in the Fire Department; that it is proposed to remove the two 2-car garages at rear of official lots 35 and 36; that it is also proposed to construct a one story extension to the existing two story building, extending into the residence use district, occupying an area greater than permitted, to be used as follows: cellar—boiler room and storage of garments; first floor—manufacture of garments, office, storage, loading and unloading; second floor—two family dwelling; and

WHEREAS, the applicant states that the proposed use will not be noxious or offensive by reason of the emission of odor, dust, smoke, gas or noise; that adjoining the premises to the east is a four car garage, the enjoyment of which would in no way be impaired by the proposed use; that the character of the residence use district portion of the neighborhood is already determined by its proximity to the business use district within 100 feet of Otis Avenue, by its proximity to the business district within 100 feet of Corona Avenue and by its proximity to the existing manufacturing use on the corner of the site; that the proposed extension will be one story in height and its facade will be constructed of face brick, designed in harmony with the existing building at the corner; that the provision of enlarged off street loading space will protect the neighborhood from the effects of loading at the curb or on the sidewalk; that the unbuilt upon portion of the plot will be enclosed by a substantial chain link fence and access from the street will be through chain link gates, which will be kept locked except during business hours; and

WHEREAS, the applicant states as to the business use, C area district, that the enclosed loading and unloading area was heretofore approved as a permitted area of excess coverage—Section 19h; that the proposed change of occupancy of the enclosed loading and unloading area to part of the cutting and stock room removes the exemption provided for in Section 19h and gives rise to the objection of excess coverage; that this excess coverage would have substantially no effect whatsoever upon the availability of light and ventilation to neighboring occupancies as this portion of the building will remain unchanged as to the area it occupied and will be only slightly higher than it is at the present; that this change of occupancy is needed to provide an enlarged cutting and stock room and to provide continuity between the existing building and the proposed extension; that therefore the prohibition against such coverage constitutes a practical difficulty and unnecessary hardship which the Board has power to alleviate; that the open area heretofore approved for loading and unloading has been enclosed, as shown on plans of actual existing conditions; that it is proposed to use this enclosed area for piece goods storage; that this gives rise to the objection of excess coverage; that here, again, the excess coverage would have no effect whatsoever upon the availability of light and ventilation to neighboring occupancies so that a denial thereof would create practical difficulties and unnecessary hardship for the owner without any corresponding benefit for nearby owners; that the heretofore approved loading spaces, open and enclosed, will not be eliminated but rather will be enlarged and relocated into the residence use portion of the plot so as to provide adequate facilities for the use of the owner and greater protection for the neighborhood; and

WHEREAS, the applicant further states that the residence use, C area district portion of the plot is irregular and comprises an area of approximately 1,380 square feet; that the proposed construction in the residence use, C area will be 450 square feet for the enclosed loading area and 284 square feet for the manufacturing building, making a total coverage of 734 square feet as against a permissible coverage of 828 square feet; that therefore there is no excess coverage proposed for the residence, C area district; that the residence use, D area district portion of the plot is irregular and comprises an area of approximately 2,620 square feet; that the proposed construction in the residence use, D area district will be approximately 2,236 square feet as against a permissible coverage of 1,441 square feet and therefore there is an excess coverage of 795 square feet proposed for the residence use, D area district portion of the plot; and

WHEREAS, the applicant states that the area district boundary line separating the C from the D area district cuts diagonally across the subject property; that unlike the use district boundary line which is located east of Otis Avenue, the area district boundary line is located east of 108th Street; that the unique result is that part of the property is in a business C district, part in a residence C district and part in a residence D district, imposing a practical difficulty for almost any kind of conforming development; that the proposed one story building, which would be mostly in the D area district, would have no substantial effect upon the light and ventilation of surrounding properties for the following reasons: that adjacent properties to the north are not affected because the rear wall of the existing garage on the subject premises is now located on the rear lot line for its entire width; that the adjacent property to the east is occupied by a garage building at the rear and is unbuilt upon in the front; that the subject premises is proposed to be occupied by a building constructed on the rear 70 feet of the lot and is proposed to be unbuilt upon at the easterly side of the plot for the front 30 feet of the lot; that furthermore, the adjoining garage building is built to the common lot line; that the proposed building would be built 4 feet off the common lot line for a depth of 70 feet and 25 feet off the common lot line for a depth of 30 feet; that the adjacent properties to the west consist of lots 3, 5 and 6; that the entire rear of lot 3 is blocked off from the subject

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premises by a garage built at the rear of lot 3; that the entire rear of lot 5 is blocked off from the premises by the garage built at the rear of lot 5 and the garage built at the rear of the subject premises; that the entire rear of the lot 6—where common with the side of subject premises—is blocked off from the premises by the garage built at the rear of the premises; that photographic View No. 2, filed herewith, shows these conditions and indicates how little the adjoining properties would be affected by the proposed building; and

WHEREAS, the applicant contends that a substantial number of the employees of Eskee Products Co., Inc., reside within walking distance of the subject premises; that if the need for expansion cannot be accommodated at the premises, the removal of the plant to larger space would inconvenience these employees and might cause them to lose their jobs; that removal of the plant, of course, would be expensive to the owner and would interfere with the pleasant relationship now existing between the employees and their jobs; that the increased space will provide better working facilities for the employees; that a grant of this application would result in the replacement of the two existing garage buildings by the proposed extension which would increase the present assessment, thereby benefitting the City in increased real estate taxes; that a grant would permit the development of the premises to the benefit of the owner and without detriment to the area; and

WHEREAS, the applicant states that the present owner has held title to the property since April 1, 1951 and December 10, 1957; that the assessed valuation of land is \$6,600 and of the building \$26,800 making a total of \$33,400; that the building was erected in 1925 and 1954; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c, of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Section 7c as to the extension of use, and Section 21 as to extension of area, substantially as proposed and indicated on plans filed with this application marked, "Received May 8, 1958," 17 sheets *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the proposed extension within the residence use district shall have no signs; that there shall be no windows opening upon adjoining premises on the westerly or northerly wall, but may be on the easterly wall opening to the proposed four foot court; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

364-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Jeanne S. DiLoreto, owner.

SUBJECT—Application June 6, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, D area district, the erection of a one story extension occupying more than the permitted area.

PREMISES AFFECTED—80-21 to 80-23 164th Street, east side, 60.43 feet north of 81st Avenue, Block 7014, Lot 26, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 21, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 164th Street and Union Turnpike are in a retail use, D area, class 1 height district; 164th Place and 81st Avenue are in retail and residence use, D and G-1 area, class 1 height districts; that as of July 25, 1916 the premises were in a business use district and received the present use designation on September 18, 1947; and

WHEREAS, the decision of the Borough Superintendent, dated May 14, 1958 acting on Alt. Applic. No. 614-58, reads:

"1. The proposed extension exceeds the permitted coverage in a D district and is contrary to Art. 2, Sec. 14c of the Z. R."

and

WHEREAS, the applicant states that the premises consist of a plot, 40.28 feet frontage by 92.62 feet in depth, irregular, presently developed with a one story building of class 3 construction, with a frontage of 39 feet 10 inches, a depth of 40 feet, and is now being used for offices; that it is proposed to maintain the present building and erect a new extension of class 3 construction, having a depth of 35 feet and a width of 39 feet, 10 inches; that the new extension will be used for offices in conjunction with offices in the existing building; and

WHEREAS, the applicant states that the area of the lot is 3622.23 square feet; that the proposed extension, together with the existing building, will have a combined area of 2987.25 square feet; that inasmuch as the permissible coverage is only 1992.25 square feet, the proposal is 995 square feet in excess; that records indicate that the present building was erected under N.B. Applic. No. 1861-52 and Certificate of Occupancy No. 83988 was issued on September 16, 1952 for use as offices; and

WHEREAS, the applicant contends that the present building is now being used as a district office for the Fidelity Mutual Life Insurance Company, which use is permissible in a retail use district; that the proposed extension is necessary and required to meet the ever expanding needs of the people in this insurance district; that this business has been established on this site since 1952, and as can be seen by the numerous consents filed with this application, this insurance business is an acceptable use in this area; that although the permissible area coverage is being exceeded, all rear yard requirements are fully complied with; and

WHEREAS, the applicant states that the present owner has held title to the property since May 5, 1952; that the assessed valuation of land is \$3,600 and of the building \$8,400 making a total of \$12,000; that the building was erected in 1952; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit a one story extension of the proposed conforming use as proposed and shown on plans filed with this application marked "Received June 6, 1958", 3 sheets, *on condition* that the extension shall be of the height and area as shown on such plans and for use only as an extension to the existing use of the existing building; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

418-58-BZ

APPLICANT—Harry M. Prince, Mitchell, Barker and Cohen, for Claude E. Forkner, owner.

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SUBJECT—Application July 10, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an eleemosynary and charitable foundation and in part by doctors' offices for the practice of medicine as a group, including the owner, with connection to the foundation.

PREMISES AFFECTED—35 East 69th Street, north side, 125 feet, west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan.

APPEARANCES—

For Applicant: Harry M. Prince, Arthur H. Barker and Julian Whitelsey.

For Opposition: None.

ACTION OF BOARD—Application grated on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Park Avenue are in a residence use, B area, class 1½ height district; East 69th Street and East 70th Street are in residence and restricted retail use, B area, class 1½ height districts; Madison Avenue is in a restricted retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 30, 1958 acting on amendment to Alt. Applic. No. 8-58, reads:

“Proposed Doctors' consultation offices and office on 3rd, 4th and Penthouse floors of a building located in a Residence Use district is contrary to Section 3 of the Zoning Resolution.”

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100 feet 5 inches in depth, occupied as a one family residence and doctor's office, four stories in height; that it is proposed to permit, in a residence district, a change in use from a one family dwelling and doctor's office, to a building to be used and occupied, in part, by an eleemosynary and charitable foundation and in part, by doctors' offices for the practice of medicine as a group, including the owner, with connection to the foundation; and

WHEREAS, the applicant states that the premises are four stories in height, with cellar and penthouse—solarium—having a frontage of 25 feet on East 69th Street, 125 feet west of the northwest corner of Park Avenue and 69th Street, of fireproof construction, with floors of concrete arches on steel beams, wall-bearing; that all interior partitions are of masonry; that the main stair from cellar to fourth floor inclusive, is concrete, finished with wood treads and risers; that the secondary stair in the rear from cellar to penthouse and roof inclusive, is of steel construction, with wood treads and open risers and is enclosed throughout; and

WHEREAS, the applicant further states that on January 3, 1958, Mayer, Whittlesey & Glass, architects, filed plans and specifications with the Department of Buildings for Dr. Forkner, as owner, to alter the building so as to permit its use as his office and residence, under Alt. Applic. No. 8-58; that the application was approved on April 3, 1958 with a notation stating that the doctor residing in the residential portion of the building might practice his profession therein; that no Certificate of Occupancy was required; that on April 15, 1958 amended plans and specifications were filed with the Department of Buildings requesting approval of the building to be used and occupied above the

first story in addition to the owner, by the Medical Passport Foundation, an eleemosynary and charitable organization, and by other medical doctors for their offices; that the application was denied by the Superintendent of Buildings; and

WHEREAS, the applicant further states that a single family dwelling is no longer a practicable exclusive use at this location, in view of the changed character of the neighborhood and times; that adjoining to the east, the Arthur Curtis James residence is now The James Foundation, and just west of the subject premises, a former private residence is now the Italian Consulate; that directly across the street is a similar type residence which is now the home of the Jewish National Fund, and another is the headquarters of the Henry George Foundation; that it must be evident from these conditions that the proposed use of this building, which contemplates no change in the residential character of the face, or its residential appearance, will not adversely affect anyone, but will tend to preserve desirable qualities in the neighborhood; that the owner is a physician with important hospital connections, including New York Hospital, and enjoys an international reputation for pre-eminence in his profession; that he purchased the residence with the intention of occupying it as residence for himself and his wife, and as office space for his professional practice and related interests; that it is now his definite hope to commit the third and fourth floors to use for the office purposes of several physicians of coordinate standing and similar viewpoints, who will join with him in the practice of medicine as a group; that the solarium will be occupied by a charitable Foundation which has already been organized by him as the Medical Passport Foundation under the Membership Corporation Law for the purpose of educating both physicians and laymen in the uses of a medical dossier for diagnostic, clinical, statistical and personal record purposes; that the basement will be equipped as a laboratory for the use of the owner and associated physicians practicing on the premises; that the Foundation is and will be supported entirely by contributions, and its services will be entirely free; that application will be made to the Treasury Department for a declaration of its tax-exempt status; that substantial contributions have already been made to it and increased support is expected; and

WHEREAS, the applicant contends that under the Zoning Resolution covering residential use districts which apply to the subject premises, there is no restriction against a doctor using any floor for his own practice with assistants, or even with a resident associate; that were this a multiple dwelling, every floor and apartment could be used as a doctor's office under Section 3(9) (e), if it were also such doctor's residence; that such arrangement would not, however, be adequate for rendering the integrated medical service which the associated physicians wish to offer; that they contemplate being organized as a medical partnership, and the third and fourth floors are well disposed for the conduct of their consultative and diagnostic work; that there will be no hospitalization on the premises; that although the associated physicians will be only five or six in number, and none but the owner would reside on the premises, the owner seeks the clear cut authority of a variance so that there will be no questions about the propriety of medical practice by others above the first floor; and

WHEREAS, the applicant further contends that the building has become too burdensome and unsuitable for use as a single family residence since few people, such as the former owner, can afford to occupy it wholly according to its original conception, due to the high cost of maintenance for private family use; that to convert it for multi-family use would be too expensive to justify the potential revenue to be derived from rentals; that the proposed use will be in harmony with the general purposes and intent of the Zoning Resolution, will not change the character of the neighborhood and will not adversely affect the present use and occupancy of any other building in the area; that the present residential facade of the building will remain unchanged and

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will continue to be an asset to the surrounding neighborhood; that were this building to be converted to a multiple dwelling, as permitted by all governing laws, including the Multiple Dwelling Law, the Zoning Resolution would impose no limit on the number of apartments created and doctors could reside in each apartment and conduct their practices without restriction; that moreover, in such a case, any number of doctors' offices would be permitted on the first and second floors, even though they did not live on the premises; that the Medical Passport Foundation, which would occupy the solarium, is a philanthropic and eleemosynary activity which, aided by the owner and his associate physicians, will render a real public service in educating both physicians and laymen in the uses of a medical dossier for diagnostic, clinical, statistical and record purposes; and

WHEREAS, the applicant states that the present owner has held title to the property since December, 1957; that the assessed valuation of land is \$50,000 and of the building \$40,000 making a total of \$90,000; that the building was erected in 1911.

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board, in the resolution as adopted this day and in permitting the use as proposed, is not passing on the use of the penthouse as an eleemosynary or charitable institution; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of twenty years to permit the premises to be occupied as proposed and as indicated on plans filed with this application marked "Received July 10, 1958", 7 sheets, and "September 9, 1958", two sheets *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that during the term of this variance the premises shall not be occupied for uses contrary to this resolution; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and that a certificate of occupancy is required and shall be obtained.

Recessed at 12:40 P.M., October 21, 1958 to Wednesday, October 22, 1958 at 10 A.M.

Reconvened at 10. A.M., October 22, 1958.

Adjourned: 11:30 A.M., October 22, 1958.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 21, 1958, 2 P.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

115-32-SA

APPLICANT—Wayne Home Equipment Company, Inc., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional model "K" oil burner—re Wayne Oil Burner, Model OM and G; previously approved.

APPEARANCES—

For Applicant: John Thurston.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 115-32-SA.

Subject: Amendment to resolution as to additional model of oil burner.

Wayne Home Equipment Co., Inc., requested by letter dated July 3, 1958 that resolution adopted April 19, 1932 and amended through April 2, 1957 under Calendar 115-32-SA be amended so as to include an additional model oil burner.

Purpose

The appliance is a gun type oil burner.

Description

The requested model K is similar to the model G, previously approved, except that the model K is equipped with dual transformers.

The model K has been approved by the Underwriters Laboratories under MP 1271.

Recommendation

The Committee on Test recommends that the resolution adopted April 19, 1932 and as amended through April 2, 1957 under Calendar Number 115-32-SA be reopened and amended so as to include the Wayne Oil Burner Model K and permission to market the above burner by the Burnham Corp. under the trade name of Burnham Oil Burner Model K; York-Shipley Inc. under the trade name of York Oil Burner Model K and by the Iron Fireman Oil Burner Model K on condition that the requirements of the resolution adopted April 19, 1932 under Calendar Number 115-32-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of April 19, 1932 through April 2, 1957 in accordance with the above report.

800-39-SM—Vol. IV

APPLICANT—United States Gypsum Company. owner.
SUBJECT—Application reopened July 15, 1958 for amendment of resolution as to additional uses of USG Audicote for fireproofing cellular steel floors and beams—re USG Red Top Cement Plaster, fibered, unfibered, extra fibered; USG Red Top No. 1 Moulding Plaster; USG Red Top Special Cement Plaster; USG Structo-Base Plaster, Structo-Gauge Plaster, Structo-Trowel Plaster; USG Sabinite M, USG Sabinite Float Finish and USG Savinite Trowel Finish, USG Structural Base Coat, USG Structural Gauging Plaster and USG Structocal Trowel Finish Plaster, USG Perfortable Savinite; previously approved.

APPEARANCES—

For Applicant: W. W. Bainbridge.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

MINUTES

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 800-39-SM Vol. IV.

Subject: Amendment to resolution as to additional uses of U.S.G. Audicote for fireproofing cellular floors and beams.

The United States Gypsum Company, Chicago, Illinois, by letter dated June 13th, 1958 requested that the resolution adopted Nov. 17th, 1942 and amended at various times thru June 26, 1956 at which time Audicote was approved, be further amended to include the use of Audicote as a fireproofing plaster for cellular steel floors and for fireproofing of steel beams. The application was reopened by the vote of the Board July 15, 1958 under Calendar Number 800-39-SM Vol. IV.

Purpose

The material has already been approved as a trowel or spray on acoustical plaster applied directly to concrete without a bonder, or to metal or gypsum lath over proper base coats. The new additional use is for direct application to steel cellular floors without bonder or any metal lath or other support as a permanent fireproofing membrane, and for fireproofing of beams supporting the cellular steel floor.

Description

U.S.G. Audicote whether used for acoustical purposes or for fireproofing is of the same formulation. Analysis shows that it is composed of asbestos fibers, plus U.S.G. Perlite (previously approved) and high grade imported bentonite clay. It hardens by drying and does not set. It has been previously approved under this calendar number as an acoustical plaster. Tension tests have shown that its bond to plaster or other surfaces is greater than its internal strength. Reports on file show it fails internally at over 360 lbs. per square foot. As its weight 1" thick is approximately $\frac{1}{2}$ pound per square foot this is an adequate factor of safety.

Inspection and Test

A ceiling and floor fire resistive test was conducted at the U.S. National Bureau of Standards on June 17th, 1958. A typical cellular steel deck formed the roof of the furnace with one intermediate 8 WF 28 steel beam and 2- $\frac{1}{2}$ inch concrete topping. The H.H. Robertson cellular steel deck was fireproofed by the application of Audicote plaster until it was 1- $\frac{1}{16}$ " below the bottom of the cell, and the hollows were filled in and brought out to this level. No lath or adhesive or anchors of any kind were required or used on the under side of the metal deck. They are not required with Audicote.

Before the application of the U.S.G. Audicote fireproofing to the metal deck, the beam was lathed or prepared as follows:

#8 gauge galvanized steel wires were passed over the top of the beam in the interces of the deck and the ends were lapped at the soffit of the beam, and the ends turned back over the lower flange of the beam. The lapped ends on the soffit were wire tied together with double strands of #18 gauge dead annealed galvanized tie wire near edge of the soffit. The #8 gauge wire loops were on 12 inch centers.

To the box frame formed by the #8 gauge wire was attached an enclosure of U.S.G. 3.4 pounds per square yard expanded metal lath of copper alloy, painted with rust resistant paint and indented so as to be $\frac{1}{4}$ " self furring which enclosed the soffit or bottom and sides of the beam and to within $\frac{1}{2}$ " of the cellular steel floor. This was wired to the #8 wires at the soffit and within 1- $\frac{1}{2}$ " of the deck, and at 6" intervals as required by good lathing practices. Adjacent sheets were lapped 1" and wire tied 6" on centers along the lap.

To this "boxed" beam was applied U.S.G. "Audicote" fireproofing to a total thickness of 1- $\frac{3}{4}$ " on the sides and 2" on the bottom or soffit. It is notable that an electric header box was applied across or perpendicular to the cellular

floor on one half of the steel deck. On the other half of the floor, there was no such electrical header duct.

Full report from the U. S. National Bureau of Standards, their report No. TR. 10218-25; Fire Protection 3456 dated July 23, 1958 concludes as follows:

"If all surface thermocouple data are considered (including those over the electrical cross ducts) the fire endurance is 3 hours 52 minutes. If the header ducts are ignored in order to permit comparison with the results for similar structures tested without such ducts; the average rise of the other twelve surface thermocouples limits the fire endurance to 4 hours 7 minutes. The beam continued to sustain its applied load thru out the test."

The chart of the temperatures of the furnace during the test show that it was consistently above the A.S.T.M. E119 Standard and no correction for variation is required. The complete report of the National Bureau of Standards plus construction drawings are a part of the record and the file.

Recommendation

Based on the tests conducted by the applicant and the data submitted and previous data and tests submitted and approval thereof by the Board, The Committee on Tests recommends that the resolution adopted by the Board under Calendar Number 800-39-SM on November 17th, 1942 and subsequently amended under Volume I, II, III and IV be further amended to include approval of U.S.G. Audicote plaster for fireproofing of cellular steel floors and for fireproofing of steel beams as follows:

That a cellular steel floor, as herein described, coated on the underside with U.S.G. Audicote plaster to an even thickness of 1- $\frac{1}{16}$ " below the low point of the cells, providing there is 2- $\frac{1}{2}$ " of concrete fill above it and providing there is no electrical cross duct above it, shall be rated as a 4 hour incombustible fire resistive floor or ceiling for use in all classes of construction under sections C26-88, C26-191 and C26-239.0 of the Administrative Code.

If the same has an electrical cross header duct on top of the cellular steel floor, based on tests conducted and data submitted, the Committee on Tests recommends that the construction shall be rated as a 3 hour fire resistive floor or ceiling for use in all classes of construction under Section C26-88, C26-178, C26-191 and C26-239.0 of the Administrative Code.

Based on the test data submitted, and the record, the Committee on Test also recommends that a structural beam enclosed with #8 gauge wire loops 12" on centers, tied together at the soffit with the ends re-entrant or returning over the flange, and wire tied, over which is applied self furring 3.4 lath as described in the test, and solidly coated with 1- $\frac{3}{4}$ " of Audicote plaster on the side and 2" of Audicote on the bottom or soffit, shall be given a 4 hour fire resistive rating and approved under C26-88, C26-178, C26-191 and C26-239.0 of the Administrative Code for use in all classes of construction and the Committee on Test further recommends that each bag of Audicote Plaster shall be stamped, printed, tagged or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 800-39-SM, Vol IV" and providing that the requirements of the previous resolution as amended is complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of November 17, 1942 through June 26, 1956 in accordance with the above reports.

1016-39-SM—Vol. III

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application for reopening and amendment of

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resolution as to additional trade name—re Gold Bond Acoustamatic Tile, Bold Bond Insulation Tile and Gold Bond Insulation Plank; previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 1016-39-SM

Subject: Amendment to resolution as to additional trade name.

National Gypsum Co., Buffalo, New York requested by letter dated June 25, 1958 that the resolution adopted January 23, 1940 and amended at various times through June 24, 1958 under Calendar Number 1016-39-SM be amended so as to permit the material known as Gold Bond Shingle Backer to be marketed under an additional trade name.

Description

The material Gold Bond Shingle Backer was approved by the Board July 2, 1957 under Calendar Number 1016-39-SM—Vol. II.

Recommendation

The Committee on Test recommends that the resolution adopted January 23, 1943 and amended at various times through June 24, 1958 under Calendar Number 1016-39-SM be reopened and amended so as to permit the material known as Gold Bond Shingle Backer to be marketed by the North Shore Shingle Co., Ltd. under the trade name of Norshor Shingle Backer on condition that the requirements of the resolution adopted January 23, 1943 and as amended through June 24, 1958 under Calendar Number 1016-39-SM are complied with. The Committee further recommends that the Bills of Lading, Shipping Tickets and/or Invoices may be stamped or labeled in lieu of the individual cartons, as the material may be shipped unwrapped.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Asst. Engr.,

GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of January 23, 1940 through June 24, 1958 in accordance with the above report.

448-40-SM

APPLICANT—H. H. Robertson Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to method of attaching side joints of adjacent units—re Robertson Keystone Beam Steel Floor and Robertson Cellular Steel Floor; previously approved.

APPEARANCES—

For Applicant: John D. Hegeman.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 448-40-SM

Subject: Amendment to resolution as to method of attaching side joints of adjacent units.

H. H. Robertson Company, Pittsburgh, Pa., requested by letter dated July 1, 1958, that the resolution adopted July 9, 1940 and amended at various times through April 15, 1958 under Calendar Number 448-40-SM be amended so as to permit a crimping or button punching of side joints in lieu of welding.

Description

There has been no change in the construction, the request is for erection only. In the approval granted by the Board, the side joints of adjacent units were welded together by means of 1/2 inch welds spaced 3'-0" on centers. The requested method of erection is to button punch the adjacent units in lieu of the welding methods.

Inspection and Tests

Various gauges of the deck ranging from 12 to 18 gauge, were tested in shear to show the value of the button punch method of joining adjacent sheets. The shear values ranged from 1300 lbs. on the 18 gauge to 4270 lbs. on the 12 gauge. The complete report is on file with the application.

Recommendation

The Committee on Test recommends that the resolution adopted July 9, 1940 and as amended at various times through April 15, 1958 under Calendar Number 448-40-SM be reopened and amended so as to permit the attaching of side joints of adjacent units by means of button punching in lieu of spot welding as previously approved on condition that all other requirements of the resolution adopted July 9, 1940 and as amended through April 15, 1958 under Calendar Number 448-40-SM are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of July 9, 1940 through April 15, 1958 in accordance with the above report.

128-41-SA

APPLICANT—American Furnace Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional models of suspended oil-fired furnaces, namely 28-OC and 33-OC—re Afco Ceiling Mounted, oil-fired Air Conditioning Unit, Models 12-OC and 23-OC; previously approved.

APPEARANCES—

For Applicant: Lester Aksman.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Foley

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and Commissioner Sleeper 3
Negative: Commissioner Kleinert 1
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 128-41-SA

Subject: Amendment to resolution as to additional models of suspended oil fired furnaces.

American Furnace Company, St. Louis, Missouri, requested by letter dated July 25, 1958 that the resolution adopted May 31, 1950 under Calendar Number 128-41-SA be amended so as to include additional models of suspended oil fired furnaces.

Purpose

The appliances are oil fired ceiling furnaces for use in domestic and commercial installation and also for use in garages and places of explosive atmospheres.

Description

The requested models 28-OC and 33-OC are similar to the models 12-OC and 13-OC except as to gallonage and BTU input; the 28-OC having a fuel input of 2.50 G.P.H. and output rating of 28,000 BTU/hr and the 33-OC having a fuel rating of 3.00 G.P.H. and an output rating of 336,000 BTU/hr.

Recommendation

The Committee on Test recommends that the resolution adopted May 31, 1950 under Calendar Number 128-41-SA be reopened and amended so as to include the models 28-OC and 33-OC suspended oil fired furnaces on condition that the requirements of the resolution adopted May 31, 1950 under Calendar Number 128-41-SA are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of May 31, 1950 in accordance with the above report.

341-44-SM

APPLICANT—Research Products Corp., owner.

SUBJECT—Application for reopening and amendment of resolution as to extension of use—re Research Air Filter, Series No. 230, Dry Type; previously approved.

APPEARANCES—

For Applicant: A. W. Braun.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 341-44-SM

Subject: Amendment to resolution as to extension of use.

Research Products Corporation, Madison, Wisconsin, requested by letter dated January 7, 1957 that the resolution adopted November 14, 1944 under Calendar Number 341-

44-SM be amended so as to include the Research Products Grease Filters under the provisions of C26-712.0.e and C19-165.3 Administrative Code.

Purpose

A filter for the prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The filter is an incombustible filter designed for installation in the hoods of kitchen range exhaust systems. The filter media is composed of laminations of corrosion resistant aluminum sheets, slit and expanded to an efficient baffle pattern. The filter frame is constructed of aluminum alloy with interlocking corners.

The filters are available in sizes up to 20 inches by 25 inches and are 2 inches in thickness.

The filters are to be cleaned by soaking in a solution of hot water suitable detergent. They should be thoroughly dried before replacing.

Inspection and Test

All details of construction were examined by Assistant Engineer J. A. Darts, Committee on Test.

Handbooks give the melting point of type 3S aluminum as over 1000°F.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends that the resolution adopted November 4, 1944 under Calendar Number 341-44-SM be reopened and amended so as to include the Research Products Grease Filters for use under the requirements of C26-712.0.e and C19-165.3.a.b Administrative Code and provide that each filter bears a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 341-44-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of November 4, 1944 in accordance with the above report.

160-47-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional models of gasoline dispensers 96BHG and 98BHG—re Gilbert and Barker Gasoline Dispensing Pumps, Models M96HG, M96ER, M98HG, M101, 96HG, 98HG, M-96HGRC and M-98HGRC; previously approved.

APPEARANCES—

For Applicant: William Keay.

ACTION OF BOARD—Reopening and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 160-47-SA

Subject: Amendment to resolution as to additional models of gasoline dispensers.

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Gilbert and Barker, Manufacturing Co., West Springfield, Mass., requested by letter dated May 23, 1958 that the resolution adopted May 13, 1947 and amended through July 9, 1957 under Calendar Number 160-47-SA be amended so as to include additional models of gasoline dispensers.

Description

The requested models 96BHG and 98BHG are similar to the models 96HG and 98HG approved by the Board June 26, 1956 and the models 96BHGR and 98BHGR are similar to the models 96HGRC and 98HGRC approved by the Board July 9, 1957 except that the requested models are furnished without a visigage sight glass on the hose side of the pump. This was done to conform to a resolution adopted by the National Bureau of Standards on Weights and Measures, Washington, D.C. under specification S.10.2.

Recommendation

The Committee on Test recommends that the resolution adopted May 13, 1947 and amended through July 9, 1957 under Calendar Number 160-47-SA be reopened and amended so as to include the additional models 96-BHG, 98BHG, 96BHGC and 98BHGC gasoline dispensing pump on condition that the requirements of the resolution adopted May 13, 1947 under Calendar Number 160-47-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of May 13, 1947 through July 9, 1957 in accordance with the above report.

809-47-SA

APPLICANT—Fullerton Equipment Corp., for Roberts-Gordon Corp., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional model of gas conversion burner, Model 400-Z—re Roberts-Gordon Gas Burners, Models 400-Z-2, Types H and PH; previously approved.

APPEARANCES—

For Applicant: L. G. LePach

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 809-47-SA

Subject: Amendment to resolution as to additional model of gas conversion burner.

Fullerton Equipment Corp., for Roberts-Gordon Corp., requested by letter dated June 8, 1958 that the resolution adopted June 8, 1948 under Calendar Number 809-47-SA be amended so as to include an additional model of gas conversion burner.

Description

The requested Model 400-Z is similar to the Model 400-Z-S except as to BTU input; the 400-Z-S being rated at

900,000 BTU/hr and the 400-Z being rated at 500,000 BTU/hr.

Recommendation

The Committee on Test recommends that the resolution adopted June 8, 1948 under Calendar Number 809-47-SA be reopened and amended so as to include the model 400-Z gas conversion burner on condition that the requirements of the resolution adopted June 8, 1948 under Calendar Number 809-47-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of June 8, 1948 in accordance with the above report.

829-48-SA

APPLICANT—The York Shipley Inc., owner. The Nu-Way Corp., former owner.

SUBJECT—Application for reopening and amendment of resolution as to change of ownership—Models J. K. L, H, CO, IXL and trade names Afco, Bard Leeson, Meyer, Power Oil, Rudy, Thatcher, Waterbury, Fitzgibbons, Mueller Climatrol, Bryan Steam Round Oak, Perfectaive, General Electric, Shepherd, Frontier, Ingersoll, Janitrol, Milwaukee Supreme, Oil Electric, Queen City, Permaglas, Spencer Heater, Weil-McLain, Sooner, Sun, Patten, Synchronomatic, Meridian, Repco, Thermo Oil-O-Matic, Chrysler, Airtemp, Certified Oil, Hall-Neal Victor, J & C, Fire Power-O-Matic, McDonald and Silver Seal Oil Burners; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 829-48-SA.

Subject: Amendment to resolution as to change of ownership.

York-Shipley Inc., York, Pennsylvania requested by filing an affidavit dated June 12, 1958 that the resolution adopted November 23, 1948 and amended through April 29, 1958 under Calendar Number 829-48-SA be amended so as to show a change of ownership, as York-Shipley, Inc., purchased all assets and rights of the Jackson and Church Co. as of May 7, 1957.

Recommendation

The Committee on Test recommends that the resolution adopted November 23, 1948 and amended through April 29, 1958 under Calendar Number 829-48-SA be reopened and amended so as to show a change of ownership from Jackson and Church Co., Saginaw, Michigan to York-Shipley Inc., York, Pennsylvania on condition that the requirements of the resolution adopted November 23, 1948 and amended

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through April 29, 1958 under Calendar Number 829-48-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of November 23, 1948 through April 29, 1958 in accordance with the above report.

865-48-SM—Vol. II

APPLICANT—H. H. Robertson Company, owner.
SUBJECT—Application reopened January 8, 1957 for amendment of resolution as to additional sections of roof deck—re Robertson Q-3 and Q-12 Roof Deck and Siding Material; previously approved.

APPEARANCES—

For Applicant: John D. Hegeman.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 865-48-SM, Vol. II

Subject: Amendment to resolution as to additional sections of roof deck.

H. H. Robertson Co., New York, requested by filing an application dated December 3, 1956 that the resolution adopted February 8, 1949 under Calendar Number 865-48-SM, Vol. I, be amended so as to include additional sections. The application was reopened by a vote of the Board, January 8, 1957 under Calendar Number 865-48-SM, Vol. II.

Purpose

The material is to be used as a roof deck.

Description

The requested section is known as the 5 section and is available in three types; the 5-75, 5-45 and 5-30. All three types are 1'0" in cross section and the difference in the types is in the depth; the 5-75 being 0'-7½", the 5-45 being 0'-4½" and the 5-30 being 0'3".

The 5-75 has the following properties:

Gauge of Metal	Moment of Inertia	Section Modulus
18	10.4	2.42
16	13.5	3.08
14	17.3	3.91
12	24.9	5.58

The properties of the 5-45 are as follows:

18	3.25	1.18
16	4.31	1.50

The properties of the 5-30 are as follows:

18	1.29	0.674
16	1.70	0.851

Inspection and Test

Tests were conducted on samples of the material in accordance with C26-262.0 Administrative Building Code in order to check if the sections could be computed in accordance with accepted engineering formulae; this was done by checking the actual deflection caused by load against the computed deflection as arrived at by engineering formulae. The tests proved that the design of the sections followed accepted formulae.

Recommendation

The Committee on Test recommends that the resolution adopted February 8, 1949 under Calendar Number 865-48-SM, Vol. I, be amended so as to include the Sections 5-75, 5-45 and 5-30 of gauges as herein described for loads and spans as described in H. H. Robertson Co., catalogue dated 1957, except that in all conditions the minimum superimposed live load shall be 40 lbs. per sq. ft.

The Committee further recommends that the method of attaching the side joints of adjacent units may be done by button-punching in lieu of welding.

The Committee further recommends that in all other respects the requirements of the resolution adopted February 8, 1949 under Calendar Number 865-48-SM, Vol. I, be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 8, 1949 in accordance with the above report.

229-50-SA

APPLICANT—Iron Fireman Mfg. Company, owner.

SUBJECT—Application for reopening and amendment of resolution as to change of ownership of Scaife Company re-models GCT-150, GCT-200 and GCT-300 Gas Conversion Burners, GBG-90, GBG-112, GBG-135, GBG-157, GBG-180, GBD-135, GBD-202, GBD-270, GBD-337 and GBD-405 Gas-fired Boilers, GFJ-75, GFJ-100, GFJ-125, GFL-150, GFL-175, GFL-200, GFK-75, GFK-100, GFK-125, GFU-65, GFU-95, GFU-125, GFW-65, GFW-95, GFW-125, GFV-65, GFV-95 and GFV-125, Timken Silent Automatic Gas Burners, Models GFD-60, GFD-80, GFD-107, GFH-56, GFH-80, GBB-60 and GBR-80; previously approved.

APPEARANCES—

For Applicant: Paul S. Riker.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 229-50-SA

Subject: Amendment to resolution as to change of ownership.

Scaife Company notified the Board by filing an affidavit dated June 19, 1958 that the Iron Fireman Manufacturing Co., Cleveland, Ohio purchased all assets, patents and good will from the Scaife Co., Oakmont, Pa. and requested that the Board amend the resolution adopted October 17, 1950 and as amended at various times through February 5, 1957 under Calendar Number 229-50-SA so as to show a change of ownership.

Recommendation

The Committee on Test recommends that the resolution adopted October 17, 1950 and as amended through February 5, 1957 under Calendar Number 229-50-SA be reopened and

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amended so as to show a change of ownership, new owner being Iron Fireman Manufacturing Co., 3170 West 106th St., Cleveland 11, Ohio, on condition that the requirements of the resolution adopted October 17, 1950 under Calendar Number 229-50-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of October 17, 1950 through February 5, 1957 in accordance with the above report.

241-50-SA

APPLICANT—York-Shipley Inc., Owner. Jackson & Church Company, old owner.

SUBJECT—Application for reopening and amendment of resolution as to change of ownership—re Jackson & Church Oil-fired Suspension Units (various models); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 241-50-SA

Subject: Amendment to resolution as to change of owner-
ship.

York Shipley, Inc., York, Pennsylvania requested by filing an affidavit dated June 12, 1958 that the resolution adopted March 25, 1952 and amended through May 20, 1958 under Calendar Number 241-50-SA be amended so as to show a change of ownership, as York-Shipley, Inc., purchased all assets and rights of the Jackson and Church Co. as of May 7, 1957.

Recommendation

The Committee on Test recommends that the resolution adopted March 25, 1952 and amended through May 20, 1958 under Calendar Number 241-50-SA be reopened and amended so as to show a change of ownership from Jackson and Church Co., Saginaw, Michigan to York-Shipley, Inc., York, Pennsylvania on condition that the requirements of the resolution adopted March 25, 1952 and amended through May 20, 1958 under Calendar Number 241-50-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of March 25, 1952 through May 20, 1958 in accordance with the above report.

211-53-SA

APPLICANT—Speed Queen Corporation, owner.

SUBJECT—Application for a reopening and amendment of

resolution as to additional models of washing machines, namely A20A, A20C, A20CF, A24, A24W, A25, A25F, A201 and A201F—re Speed Queen Automatic Washer (domestic type) Models A10, A11, A12, A18, A19, A20, A21, A22, A21W, A22W and A20F; previously approved.

APPEARANCES—

For Applicant: D. M. Eckstein.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 211-53-SA.

Subject: Amendment to resolution as to additional models of washing machines.

Speed Queen, Division of McGraw-Edison Co., requested by letter dated June 25, 1958 that the resolution adopted November 4, 1953 and as amended May 20, 1958 under Calendar 211-53-SA be amended so as to include additional models of washing machines.

Purpose

The appliance is a clothes washing machine. (9 lbs.)

Description

The requested models are identical to the models previously approved except as to cabinet styling.

Inspection and Test

Details of construction were examined by the Assistant Engineer J. A. Darts, Committee on Test and it was noted that the air gap was at least 1 $\frac{1}{8}$ inches.

Recommendation

The Committee on Test recommends that the resolution adopted November 4, 1953 and amended May 20, 1958 under Calendar Number 211-53-SA be reopened and amended so as to include the models A20A, A20C, A20CF, A24, A24W, A25, A25F, A201 and A201F Speed Queen Automatic Washing Machines on condition that the requirements of the resolution adopted November 4, 1953 under Calendar Number 211-53-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 4, 1953 through May 20, 1958 in accordance with the above report.

580-54-SA

APPLICANT—York-Shipley, Inc., owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Jackson and Church Gas-fired Suspended Units, Models CA-350 and CA-450; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

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THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 580-54-SA.

Subject: Amendment to resolution as to change of ownership.

York-Shipley Inc., York, Pennsylvania, requested by filing an affidavit dated June 12, 1958 that the resolution adopted April 29, 1958 under Calendar Number 580-54-SA be amended so as to show a change of ownership, as York-Shipley Inc., purchased all assets, rights of the Jackson and Church Co. as of May 7, 1957.

Recommendation

The Committee on Test recommends that the resolution adopted April 29, 1958 be reopened and amended so as to show a change of ownership from Jackson and Church, Saginaw, Michigan to York-Shipley Inc., York, Pennsylvania, on condition that the requirements of the resolution adopted April 29, 1958 under Calendar Number 580-54-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 29, 1958 in accordance with the above report.

989-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104BD, 104BDRC, 104BDHG and 104BDHGRC—re Gilbarco Dual Gasoline Dispensing Pump, Model 104D and 104DSA; previously approved.

APPEARANCES—

For Applicant: William Keay.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Tests reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 989-55-SA

Subject: Amendment to resolution as to additional models of gasoline dispensers.

Gilbert and Barker, Manufacturing Co., West Springfield, Mass., requested by letter dated May 23, 1958 that the resolution adopted July 10, 1956 and amended through December 17, 1957 under Calendar Number 989-55-SA be amended so as to include additional models of gasoline dispensers.

Description

The requested models 104BD and 104BDRC are similar to the models 104D and 104DRC approved by the Board July 10, 1956 and the Models 109BDHG and 104 BDHGRC are similar to the Models 104DHG and 104DHGRC approved by the Board July 9, 1957 except that the requested models are furnished without a visigage sight glass of the hose side of the pump. This was done to conform to a resolution adopted by the National Bureau of Standards on Weights and Measures, Washington, D. C. under Specification S.10.2.

Recommendation

The Committee on Test recommends that the resolution adopted July 10, 1956 and as amended through December 17, 1957 under Calendar Number 989-55-SA be reopened and amended so as to include the additional models, 104BD, 104BDRC, 104BDHG and 104BDHGRC gasoline dispensing pumps on condition that the requirements of the resolution adopted July 10, 1956 under Calendar Number 989-55-SA are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of July 10, 1956 through December 17, 1957 in accordance with the above report.

990-55-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 104B, 104BRC, 104BHG and 104BHGRC—re Gilbarco Single Gasoline Dispensing Pump, Model 104 and 104HG; previously approved.

APPEARANCES—

For Applicant: William Keay.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 990-55-SA

Subject: Amendment to resolution as to additional models of gasoline dispensers.

Gilbert and Barker, Manufacturing Co., West Springfield, Mass., requested by letter dated May 23, 1958 that the resolution adopted July 3, 1956 and amended through July 9, 1957 under Calendar Number 990-55-SA be amended so as to include additional models of gasoline dispensers.

Description

The requested Models 104B and 104BRC are similar to

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the Models 104 and 104RC, approved by the Board July 3, 1956, and the Models 104BHG and 104BHGR are similar to those approved July 9, 1957, except that the requested models are furnished without a visigage sight glass on the hose side of the pump. This was done to conform to a resolution adopted by the National Bureau of Standards on Weights and Measures, Washington, D.C.; under Specification S.10.2.

Recommendation

The Committee on Test recommends that the resolution adopted July 3, 1956 and amended through July 9, 1957 under Calendar Number 990-55-SA be reopened and amended so as to include the additional Models 104B, 104BRC, 104BHG, and 104BHGR gasoline dispensing pumps on condition that the requirements of the resolution adopted July 3, 1956 under Calendar Number 990-55-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of July 3, 1956 through July 9, 1957 in accordance with the above report.

385-56-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1006B, 1004B, 1002B, 1006BRC, 1004BRC, 1002BRC, 1006BHG, 1004BHG, 1002BHG, 1006BHGR, 1004BHGR and 1002BHGR—re 1006HG, 1004HG, 1002HG, 1006HGR, 1004HGR and 1002HGR, Gilbarco Calco-Meter Electric Gasoline Dispensers, Models 1002, 1004 and 1006 and Gilbarco Remote Control Gasoline Dispenser, Models 1006RC, 1004RC and 1002RC; previously approved.

APPEARANCES—

For Applicant: William Keay.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 385-56-SA

Subject: Amendment to resolution as to additional model of gasoline dispensers.

Gilbert and Barker, Manufacturing Co., West Springfield, Mass., requested by letter dated May 23, 1957, that the resolution adopted September 25, 1956 and amended October 1, 1957 under Calendar Number 385-56-SA be amended so as to include additional models of gasoline dispensers.

Description

The requested Models, 1006B, 1004B, 1002B, 1006BRC, 1004BRC and 1002BRC are similar to the models approved September 25, 1956 and the Models 1006BHG, 1004BHG, 1002BHG, 1006BHGR, 1004BHGR and 1002BHGR are similar to the models approved October 1, 1957 under Calendar Number 385-56-SA except that the requested models

are furnished without a visigage sight glass on the hose side of the pump. This was done to conform to a resolution adopted by the National Bureau of Standards on Weights and Measures, Washington, D. C. under specification S.10.2.

Recommendation

The Committee on Test recommends that the resolution adopted September 25, 1956 and amended October 1, 1957 under Calendar Number 385-56-SA be reopened and amended so as to include the additional models of gasoline dispensers herein described on condition that the requirements of the resolution, September 25, 1956 under Calendar Number 385-56-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of September 25, 1956 through October 1, 1957 in accordance with the above report.

108-57-SM

APPLICANT—J. H. Helff, for Perfect Seal Manufacturing Co., owner.

SUBJECT—Application February 4, 1957—Perfect Seal Acoustical Tile; approval of.

APPEARANCES—

For Applicant: Joseph Aiello, Joseph McCrea, John Reetz and John J. Helff.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 108-57-SM

Subject Perfect Seal Acoustical Tile.

J. J. Helff for Perfect Seal Manufacturing Company, Walworth, Wisconsin filed February 4, 1957 an application with the Board of Standards and Appeals for approval of the material known as Perfect Seal Acoustical Tile and under the provisions of C26-88.0 and C26-191.0 Administrative Building Code and permission to market under an additional trade name.

Purpose

The material is an incombustible acoustical tile.

Description

The tile is a fissured mineral fibre acoustical tile measuring 12 inch by 12 inch by $\frac{3}{4}$ inch thick and weighs 1.5 lbs. per sq. ft. The tile was tested for incombustibility, at the Armour Research Foundation of the Illinois Institute of Technology, under the requirements of Federal Specification SS-A-1186 and was found to be incombustible. The complete report is on file with and is part of the record.

Recommendation

On the basis of the test and data filed by the applicant, the Committee on Test recommends the approval of the material known as Perfect Seal Acoustical Tile as an incombustible acoustical tile, as having met the requirements of C26-88.0, for voluntary use in New York City, on condition that the tile shall be installed in an approved suspension system. The Committee further recommends that these tiles may be marketed by the Mastic Tile Corporation of America under the trade name of Matico Acoustical Tile, on condi-

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tion that each carton in which the material is marketed shall be marked, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 108-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

208-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1003B, 1005B, 1007B, 1003BRC, 1005BHC, 1007-BHC, 1003BHGRG and 1005BHGRG, 1007BHGRG—re Gilbarco Gasoline Dispensers, Models 1003, 1003RC, 1003-HC, 1003HCRC, 1005, 1005HG, 1005RC, 1005HGRC, 1007, 1007HG, 1007RC and 1007HGRC (single standard, remote control, high gallonage); previously approved.

APPEARANCES—

For Applicant: William Keay.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

To reopen and amend.

Re: Calendar Number 208-57-SA.

Subject: Amendment to resolution as to additional models of gasoline dispensers.

Gilbert and Barker, Manufacturing Co., West Springfield, Mass., requested by letter dated May 23, 1958 that the resolution adopted November 13, 1957 under Calendar Number 208-57-SA be amended so as to include additional models of gasoline dispensers.

Description

The requested Models 1003B, 1005B, 1007B, 1003BRC, 1005BRC, 1007BRC, 1003BHG, 1005BHG, 1007BHG, 1003-BHGRC, 1005 BHGRC and 1007BHGRG are similar to the models approved November 13, 1957 under Calendar Number 208-57-SA except that the requested models are furnished without visigage sight glass on the hose side of the pump. This was done to conform to a resolution adopted by the National Bureau of Standards on Weights and Measures, Washington, D. C., under Specification S-10.2.

The Committee on Test recommends that the resolution adopted November 13, 1957 under Calendar Number 208-57-SA be reopened and amended so as to include the additional models of gasoline dispensing pumps herein described on condition that the requirements of the resolution adopted November 13, 1957 under Calendar Number 208-57-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,

GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 13, 1957 in accordance with the above report.

268-57-SA

APPLICANT—Gilbert & Barker Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers, namely 1026B, 1026BRC, 1016B and 1016BRC—re Gilbarco Two some Gasoline Dispensers, Models 1026, 1025RC, 1016 and 1016 RC; previously approved.

APPEARANCES—

For Applicant: William Keay.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 268-57-SA.

Subject: Amendment to resolution as to additional models of gasoline dispensers.

Gilbert and Barker, Manufacturing Co., West Springfield, Mass., requested by letter dated May 23, 1958 that the resolution adopted November 13, 1957 under Calendar Number 268-57-SA be amended so as to include additional models of gasoline dispensers.

Description

The requested Models 1026B, 1026BRC, 1016B, and 1016-BRC are similar to the models approved November 13, 1957 under Calendar Number 268-57-SA except that the requested models are furnished without a visigage sight glass on the hose side of the pump. This was done to conform to a resolution adopted by the National Bureau of Standards on Weights and Measures, Washington, D. C. under specification S.10.2.

Recommendation

The Committee on Test recommends that the resolution adopted November 13, 1957 under Calendar Number 268-57-SA be reopened and amended so as to include the additional Models 1026B, 1026BRC, 1016B and 1016BRC gasoline dispensing pumps on condition that the requirements of the resolution adopted November 13, 1957 under Calendar Number 268-57-SA are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 13, 1957 in accordance with the above report.

359-57-SA

APPLICANT—H. A. Simmons for Empire Stove Company, owner.

SUBJECT—Application for a reopening and amendment of

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resolution as to additional model of gas-fired heater, namely WFA-50-Wall Heater—re Empire Gas-Fired Recessed Wall Heater, Model WFA-35; previously approved.

APPEARANCES—

For Applicant: Howard A. Simmons.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: Commissioner Kleinert 1

Absent: Vice Chairman Keating 1

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 359-57-SA

Subject: Amendment to resolution as to additional model of gas-fired heater.

H. A. Simmons for Empire Stove Company, requested by letter dated July 22, 1958 that the resolution adopted June 3, 1958 under Calendar Number 359-57-SA to include on additional model of gas fired heater.

Purpose

The appliance is used for domestic and commercial heating.

Description

The requested Model WFA-50 is similar to the Model WFA-35 except as to BTU input, the WFA-35 having 35,000 and the WFA-50 having 50,000 BTU input, in all other respects the heaters are similar.

Recommendation

The Committee on Test recommends that the resolution adopted June 3, 1958 under Calendar Number 359-57-SA be reopened and amended so as to include the additional model WFA-50-Wall Heater, on condition that the requirements of the resolution adopted June 3, 1958 under Calendar Number 359-57-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of June 3, 1958 in accordance with the above report.

402-57-SA

APPLICANT—The Heil Company, owner.

SUBJECT—Application May 6, 1957—Heil Gas-Fired Conversion Burners, Models GCB-1a, GCB-1, GCB-2 and GCB-3 to be also marketed by Sears, Roebuck Co., as Homart Gas-fired Conversion Burner, Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112, approval of.

APPEARANCES—

For Applicant: Walter Farrell.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 402-57-SA

Subject: Heil Gas Fired Conversion Burners, Models GCB-1A, GCB-1, GCB-2, GCB-3 also to be marketed by Sears, Roebuck and Co. as Homart Gas Fired Conversion Burner, Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112.

The Heil Company of Milwaukee, Wisconsin now operating its heat appliance division as the Heil-Quaker Corp., Lewisburg, Tennessee, owner-manufacturer, filed May 6, 1957 an application with the Board of Standards and Appeals for approval of Heil Gas Fired Conversion Burners Models GCB-1A, GCB-1, GCB-2, GCB-3, under the provisions of Article 12, Administrative Building Code, such burners also to be marketed by Sears, Roebuck and Company as the Homart Gas Fired Conversion Burners Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112.

Purpose

Conversion burners for domestic heating.

Description

The Heil Gas Fired Conversion Burners are upshot burners equipped with a flame spreader. Primary air is supplied through an adjustable opening in the venturi mixing tube. A secondary air damper is installed in the burner frame assembly.

The burners are equipped with a manual shut off valve, a pilot cock, gas pressure regulator and automatic gas valve. Ignition is by safety pilot which would shut off the flow of gas in case of flame failure.

The minimum and maximum input ratings for the various models on natural or mixed gas are as follows:

Model	Minimum	Maximum
GCB-1A	75,000	150,000
GCB-1	75,000	150,000
GCB-2	85,000	275,000
GCB-3	85,000	370,000
867.6104	75,000	150,000
867.6111	75,000	150,000—100% shut off
867.6107	85,000	275,000
867.6112	85,000	275,000—100% shut off
867.6108	85,000	185,000

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

All models listed above were tested and approved by the American Gas Association.

Recommendation

On the basis of the examination and data submitted by the applicant, the Committee on Test recommends the approval of the Heil Gas Fired Conversion Burners Models GCB-1A, GCB-1, GCB-2, GCB-3 for use in New York City under the provisions of Article 12 Administrative Building Code provided each burner shall bear a label permanently attached, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 402-57-SA", and further that such burners may also be marketed by Sears, Roebuck and Company as the Homart Models 867.6104, 867.6107, 867.6108, 867.6111 and 867.6112.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

MINUTES

412-57-SM

APPLICANT—National Screw & Manufacturing Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marking of bolts—re High Strength Structural Bolts; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

TH RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 412-57-SM

Subject: Amendment to resolution as to marking of bolts.

National Screw and Manufacturing Co., Cleveland, Ohio, requested by letter, dated July 23, 1958 that the resolution adopted July 15, 1958 under Calendar Number 412-57-SM be amended as to additional marking of the approved High-Strength Bolts.

Description

There has been no change in the bolts, the requested modification is in the marking on the head of the bolts. The bolts are presently marked with three radial lines. The modification consists of the same three radial lines with the addition of the letters NSM.

Recommendation

The Committee on Test recommends that the resolution adopted July 15, 1958 under Calendar Number 412-57-SM be reopened and amended so as to permit the marking on the head of the bolt as herein described on condition that the requirements of the resolution adopted July 15, 1958 under Calendar 412-57-SM are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 15, 1958 in accordance with the above report.

505-57-SA

APPLICANT—Edwards Engineering Corp., owner.

SUBJECT—Application June 12, 1957—Spi-Rol-Fin Gold Crown Gas-fired Boiler, Hot Water Models 600G and 750G, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 505-57-SA

Subject: Spi-Rol-Fin Gold Crown Gas-Fired Hot Water Boiler, Models 600G and 750G, approval of.

Edwards Engineering Corporation, Pompton Plains, New Jersey, filed June 12, 1957, an application with the Board of Standards and Appeals for approval of the Spi-Rol-Fin Gold Crown Gas Fired Hot Water Boiler, Models 600G and 750G for use in New York City under the provisions of C26-191.0 and Article 12, Administrative Building Code.

Purpose

The Spi-Rol-Fin Gold Crown Gas Fired Hot Water Boilers are designed for residential heating and for supplying domestic hot water.

Description

The assembled unit consists of a low pressure house heating boiler with an instant domestic hot water coil made of finned copper tubing. The boiler is designed in accordance with the Asme code. A pump is provided for hot water circulation in the heating system.

Heat is supplied by means of a mutli part cast iron burner which in turn is supplied with a primary air-gas mixture through a venturi. Ignition is by safety pilot which will shut off gas flow in case of flame failure. Other controls include a gas pressure regulator, automatic gas valve, manual gas shut off valve, manual pilot valve, thermostat, and operating and limit control. The boiler is equipped with a relief valve, aquastat and flow regulator.

The boiler is insulated with glass wool and aluminum foil and the entire assembly is housed in a sheet metal jacket.

Combustion gases are taken off at the top and the flue is provided with a draft diverter.

The input ratings of the two models are as follows:

Model 600 G	120,000 Btu per hour
Model 750 G	165,000 Btu per hour

Inspection and Test

All details of construction were examined by Assistant Engineer, G. F. Sklenarik, Committee on Test. These hot water boilers have been tested and approved by the American Gas Association.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Spi-Rol-Fin Gold Crown Gas Fired Hot Water Boiler, Models 600G and 750G for use in New York City in accordance with this report and the provisions of Article 12, Administrative Building Code including the clearance requirements set forth therein provided that each boiler shall bear a label permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 505-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

554-57-SA

APPLICANT—General Fittings Company, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of electric preheater and permission to market under additional trade names—re General Fittings Electric Oil Immersion Heater; previously approved.

APPEARANCES—

For Applicant: Sydney J. Hayden.

ACTION OF BOARD—Application reopened and resolu-

MINUTES

tion amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 554-57-SA

Subject: Amendment to resolution as to additional models of electric preheater and permission to market under additional trade names.

General Fitting Company, by letter of June 5, 1958, designated Way-Wolff, Inc., New York, to represent them in all actions before the Board. Way-Wolff Associates requested by letter dated June 10, 1958 that the resolution adopted October 1, 1957 under Calendar Number 554-57-SA be amended so as to include additional models of electric preheater and permission to market under additional trade names.

Description

The requested Models FMT and FMTT are similar to the model HMT, approved by the Board under Calendar 554-57-SA except that the capacity is smaller and are constructed with a smaller flange mounting.

Recommendation

The Committee on Test recommends that the resolution adopted October 1, 1957 under Calendar 554-57-SA be reopened and amended so as to include the additional Models; FMT and FMTT, electric fuel oil preheater and further that the fuel oil preheater recommended for approval under this resolution may be marketed by the Way-Wolff Associates, Inc., and Ray Burner Sales Inc. under the Model designation M-220, M-221 and M-222 for the Models HMT, FMT and FMTT respectively on condition that the requirements of the resolution adopted October 1, 1957 under Calendar Number 554-57-SA are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 1, 1957 in accordance with the above report.

653-57-SM

APPLICANT—Owens-Illinois Plywood Co., owner.

SUBJECT—Application August 8, 1957—Owens-Illinois Fire Door, approval of.

APPEARANCES—

For Applicant: Carl F. Vall, Jr.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 653-57-SM.

Subject: Owens-Illinois Fire Door.

Owens-Illinois Plywood Company, North Troy, Vermont, filed August 8, 1957, an application with the Board of Standards and Appeals for approval of the material known as the Owens-Illinois Fire Door under the Provision of C26-610.0 Administrative Building Code.

Purpose

The door is to be used as a one hour fire resistive opening protective assembly.

Description

The door is constructed of a non-combustible core (Kaylo) with chemically impregnated lumber for the edges, with laminated wood on the faces. The door, of a size 4'-0" x 7'-0" x 0'-13⁷/₈", is hung by means of three 4¹/₂" full mortise steel hinges. The hinges are secured to the door by means of No. 12-1¹/₄" sheet metal screws and to the frame with machine screws. The lock is a cylindrical type lock with 1¹/₂" latch bolt. The latch is secured to the door with No. 8-3⁴/₄" wood screws and the strike plate is secured to the frame by means of machine screws.

Inspection and Test

The door was tested at the Underwriters Laboratory in accordance with the requirements of C26-610.0 Administrative Building Code. The door successfully met the requirements of the fire and hose stream tests. The temperature rise at the end of 30 minutes was 224° which is well below the allowable of 650°.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as the Owens-Illinois Fire Door for use in New York City as a one hour fire resistive Opening Protective Assembly under the provisions of C26-610.0 on condition that the requirements of the Rules of the Board, for the Inspection of Opening Protective Assemblies are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

744-57-SM

APPLICANT—Farr Company, owner.

SUBJECT—Application September 26, 1957—Far-Air Grease Eliminators, (for ventilation hoods in commercial kitchens), approval of.

APPEARANCES—

For Applicant: Lawrence D. Greco.

ACTION OF BOARD—Material approved in accordance with report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 744-57-SM.

Subject: Far-Air Grease Eliminators—for ventilation hoods in commercial kitchens.

The Farr Company, New York, N. Y. filed September 25, 1957 an application with the Board of Standards and

MINUTES

Appeals for approval of the Far-Air Grease Eliminators for use in New York City under the provisions of Sections C26-712.0e and C19-165.3 Administrative Code.

Purpose

Filters for prevention of excessive grease accumulation in kitchen range exhaust systems.

Description

The Far-Air Grease Eliminator is an assembly of the Farr type 44 G grease filters placed in a single or double sided steel supporting frame which in turn is secured to the range exhaust system. The bottom of the frame is provided with a drip tray.

The type 44 G filters are incombustible with filtering media made of zinc electroplated 14 mesh steel screening arranged in alternate layers of flat and herringbone crimped screens, 4 layers of each per inch, rod reinforced. The ends are enclosed in a frame of 16 gage steel with flush mitered corners.

The filters are available in standard sizes up to 19½" x 24½" with thicknesses of 2 inches or 4 inches. They are made with or without handles.

The filters may be removed and cleaned by soaking in a hot solution of detergent in water and then thoroughly dried before replacing.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

Recommendations

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Far-Air Grease Eliminators—Type 44G filters—for use in New York City when installed in accordance with the requirements of sections C26-712.0e and C19-165.3a.b., Administrative Code and provided that each filter shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 744-57-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

841-57-SA

APPLICANT—John Gabel, for Wilnot Castle Company, owner.

SUBJECT—Application November 4, 1957—Imperial Bed Pan Washer, Models 1, 2 and 3, approval of.

APPEARANCES—

For Applicant: H. P. Bonesteel and W. W. Russell.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 841-57-SA

Subject: Imperial Bed Pan Washer, Models 1, 2, and 3.

John Gabel for Wilnot Castle Co., Rochester, New York, filed November 4, 1957 an application with the Board of Standards for approval of the appliance known as the Imperial Bed Pan Washer, Models 1, 2, and 3 and by letter of July 17, 1958 requested that the appliance now be known as Sani-Jet Bed Pan Washer Models 1, 2 and 3.

Purpose

The appliance is a bed pan washer.

Description

The model designation, 1, 2 or 3 differentiates the model being either pedestal, recessed or wall hung type, and each model is designed to wash the bed pan and optionally, process with live steam.

Washing is accomplished by water passing through three spray flanges, contacting all surfaces of the bed pan.

Where steam is specified, it is introduced through a separate steam line, there being no interconnection between steam and water lines.

When hot water is specified, it is introduced into the cold water line between the flush valve and vacuum breaker.

The body is of cast iron, porcelainized on all surfaces, inside and out, and is equipped with a cast iron waste trap, terminating in flange for connection to flanged floor base.

The door is of non-corrosive metal and has an opening for intake of air and back up of waste over flow. The door is fitted with a rack of non-corrosive metal having arms to hold the bedpan and the arms automatically release upon opening of the door.

The wall hung and the pedestal type are vented by means of a 2" chrome-plated copper tubing with two chrome-plated slip joint nuts; one for connection to vent fitting on fixture, the other for connection to building vent line.

Inspection and Test

Details of construction were examined by Ass't Engineer J. A. Darts, Committee on Test and the details conformed to drawings submitted.

Recommendation

The Committee on Test recommends the approval of the appliance known as the Imperial Bed Pan Washer Models 1, 2 and 3 also known as the Sani-Jet Bed Pan Washer Models 1, 2 and 3 for use in New York City when constructed as herein described, and when installed, the approved vacuum breaker and check valve shall be installed in accordance with the requirements of the Submerged Inlet Rules of the Board and further, each appliance shall bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar 841-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

1001-57-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional models of gasoline dispensers namely 49RC and 49-TP-RC—re Tokheim Remote Control Gasoline Pumping Units, Models 45-RCP and 46-RCP and Tokheim Island Dispensing Pedestals, Models 45-H-RC and 45-TP-RC; previously approved.

APPEARANCES—

For Applicant: A. P. Lapsansky and John F. Dixon.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

MINUTES

Negative: 0
Absent: Vice Chairman Keating 1
THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 1001-57-SA

Subject: Amendment to resolution as to additional models of gasoline dispensers.

Tokheim Corporation requested by letter dated July 18, 1958 that the resolution adopted April 15, 1958 under Calendar Number 1001-57-SA be reopened and amended to include additional models of gasoline dispensers, 49 RC and 49-TP-RC.

Purpose

Gasoline dispensers for airport and marine locations.

Description

The Model 49 RC and 49-TP-RC are similar to the Models 45 H-RC and 45-TP-RC respectively previously approved by the Board under Calendar Number 1001-57-SA. They differ in that the maximum delivery rate is 35 gallons per minute and they are designed for a one inch hose; the previously approved models had a delivery rate of 15 gallons per minute and were designed for a $\frac{3}{4}$ inch hose.

Because the new models are primarily intended for airport and marine use, no hose is supplied with the dispensers. The user of the equipment is to supply Underwriters' type gasoline hose of a length permitted by the Fire Department for each installation under their jurisdiction.

The Models 49 RC and 49-RP-RC have been tested and approved by the Underwriters Laboratories file MH 1895. The 49-TP-RC differs from the 49 RC in that it has a ticket printing device.

Recommendation

The Committee on Test recommends that the resolution adopted April 15, 1958 under Calendar Number 1001-57-SA be reopened and amended so as to include the Tokheim Model 49-RC and 49-TP-RC gasoline dispensers on condition that the requirements of the resolution adopted April 15, 1958 under Calendar Number 1001-57-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 15, 1958 in accordance with the above reports.

1038-57-SA

APPLICANT—Liberty Combustion Corp., owner.

SUBJECT—Application November 29, 1957—Liberty Inshot Conversion Gas Burner, Models LIB200SC, LIB150LC, LIB225LC, LIB150SB, LIB200SB, LIB150LB, LIB225LB and LIB150SC, (for conversion of oil-fired boilers or furnaces to gas), approval of.

APPEARANCES—

For Applicant: William F. Barry and Jack B. Lake.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 1038-57-SA

Subject: Liberty Inshot Conversion Gas Burner, Models LIB 150 SB, LIB 150 LC, LIB 150 SC, LIB 150 LB, LIB 200 SC, LIB 200 SB, LIB 225 LC, and LIB 200 LB.

Liberty Combustion Corporation, Syracuse, New York, filed November 29, 1957 an application with the Board of Standards and Appeals for approval of the Liberty Inshot Conversion Gas Burner, Models LIB 150 SB, LIB 150 LC, LIB 150 SC, LIB 150 LB, LIB 200 SC, LIB 200 SB, LIB 225 LC, and LIB 200 LB for use in New York City under the provisions of Article 12, Administrative Building Code.

Purpose

Conversion type gas burners.

Description

The Liberty Inshot Conversion Gas Burners were designed to be used either as original equipment on furnaces and boilers requiring a flange mounted burner or as conversion burners for flange mounted oil burning furnaces and boilers.

The burners are made in two different lengths; if the distance from the mounting flange to the entrance of the combustion chamber is $4\frac{1}{2}$ inches or more, the long model is used and if the distance is under $4\frac{1}{2}$ inches, the short model is used.

The burner and flange are of cast iron, dip painted. The flame deflector and deflector arm are of stainless steel.

The main housing and cover are of 20 gauge cold rolled steel and spray painted with a hammercraft finish.

The input ratings of the models are:

LIB 150 150,000 Btu per hour
LIB 200 200,000 Btu per hour
LIB 225 225,000 Btu per hour

The Suffix S or L in the model designation indicates the short or long model. The suffix B indicates a self generating type of control system using a pilot generator and diaphragm valve.

The suffix C indicates a 24 volt electrical control system using a pilot, thermocouple and automatic valve. These controls will shut down the gas supply in case of pilot flame failure.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The Liberty Inshot Conversion Gas Burners LIB 150, LIB 200, and LIB 225 were tested and approved by the American Gas Association Certificates 20-590.001 and 20-590.101.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Liberty Inshot Conversion Gas Burner, Models LIB 150 SB, LIB 150 SC, LIB 150 LC, LIB 150 LB, LIB 200 SC, LIB 200 SB, LIB 200 LB and LIB 225 LC for use in New York City when installed in accordance with this report and the provisions of Article 12, Administrative Building Code and provided that each burner shall bear a label reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 1038-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

91-58-SM

APPLICANT—Wilcox-Woolford Corporation, owner.

MINUTES

SUBJECT—Application February 5, 1958—Furnaflex; wood veneer for Interior walls, approval of.

APPEARANCES—

For Applicant: John H. Wilcox.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test, reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 91-58-SM—

Subject: Furnaflex: Wood Veneer for Interior Walls.

Wilcox-Woolford Corporation, Spring City, Penn., filed February 5, 1958 an application with the Board of Standards and Appeals for approval of the material known as Furnaflex, under the provisions of section C26-667.0.7.b Administrative Building Code.

Purpose

The material is to be used as a veneering material when placed upon an incombustible backing.

Description

Furnaflex is a wood veneer protected by a vinyl surface and backed by aluminum foil. The thickness is approximately .025 inch or .010 inch as ordered.

Inspection and Test

The material was tested at the office of the Board by Assistant Engineer G. F. Sklenarik, Committee on Test. The material will burn in itself when not applied to an incombustible backing.

Recommendation

On the basis of the Inspection and Test and the data filed by the applicant, the Committee on Test recommends the approval of the material known as Furnaflex as described in this report for use as a veneering material under the provisions of C26-667.0.7.b Administrative Building Code on condition that each container or wrapper in which the material is marketed shall be stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 91-58-SM."

The Committee further recommends that this material shall not be used in public halls of multiple dwellings as prohibited under sections 101, 142, 146, 148 and 149 of the Multiple Dwelling Law.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

339-58-SA

APPLICANT—American Radiator & Standard Sanitary Corporation, owner.

SUBJECT—Application May 23, 1958—American Radiator & Standard Sanitary Corporation Inshot Gas Conversion Burner, Models IN-150, IN-245, IN-275, approval of.

APPEARANCES—

For Applicant: H. W. Balsinger.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 339-58-SA.

Subject: American Radiator and Standard Sanitary Corporation Inshot Gas Conversion Burner Models IN-150, IN-245, IN-275.

American Radiator and Standard Sanitary Corp., New York, N. Y. filed May 23, 1958 an application with the Board of Standards and Appeals for approval of their Inshot Gas Conversion Burner Models IN-150, IN-245, and IN-275 for use in New York City under the provisions of Article 12, Administrative Building Code.

Purpose

Gas conversion burners for installation in hot water or steam boilers or warm air furnaces.

Description

The American Radiator and Standard Sanitary Corporation Inshot Gas Conversion Burner is an atmospheric type having a single port inshot burner head with flame spreader attached.

Provisions are made for supplying primary and secondary combustion air through adjustable openings.

The controls used are a gas pressure regulator and automatic gas valve with safety pilot. The gas valve may be of the self energizing type or electrically operated on low or line voltage.

The maximum ratings of the three burners are:

Model	Btu per hour input
IN-150	150,000
IN-245	245,000
IN-275	275,000

Inspection and Test

All details of construction were examined by Ass't Engr. G. F. Sklenarik, Committee on Test.

These burners were tested and approved by the American Gas Association, Certificates 20-603.101 and 20-603.001.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the American Radiator and Standard Sanitary Corporation Inshot Gas Conversion Burner Models IN-150, IN-245, and IN-275 for use in New York City in accordance with this report and the provisions of Article 12, Administrative Building Code provided that each burner shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 339-58-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

411-58-SM

APPLICANT—Time Saving Fills Inc., owner.

SUBJECT—Application June 30, 1958—Speed-Kleen Fills, Models 2200, 2200M45, 2200-F45 and 3200, for connection between fill pipe terminals and fuel truck nozzles, approval of.

APPEARANCES—

For Applicant: Edward T. Heeg and Roland W. Anstine.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 411-58-SM

Subject: Speed-Kleen Fills, Models 2200, 2200M45, 2200F45
and 3200, approval of.

Time Saving Fills Inc., York, Pa., filed June 30, 1958 an
application with the Board of Standards and Appeals for
approval of the Speed-Kleen Fills, Models 2200, 2200M45,
2200F45 and 3200 for use in New York City under the pro-
visions of the Oil Burner Rules of the Board.

Purpose

Fill pipe terminals for fuel oil storage systems.

Description

The Speed-Kleen Fills are malleable steel fittings designed
to be screwed on to or into the tank fill line.

The Model 2200 terminal is a straight fitting with female
thread for attaching to the fill pipe. The opposite end of
the fitting has a smooth bore to receive the seal cap or truck
hose nozzle tube known as the Speed Kleen Nozzle Tube.
The smooth bore is traversed by a steel pin to form one ele-
ment of a bayonet joint. The other element of the joint is
the seal cap or nozzle tube when in use each being pro-
vided with inverted "L" shaped slots, the seal cap slots being
inclined so as to draw the cap tightly against the machined
tapered face of the terminal fitting. The seal cap is pro-
vided with an oil proof gasket and it is slotted to take a
special wrench. The cap is secured to the fitting by means
of a short chain.

The model 2200 F 45 is similar to the 2200 but is made
in 45° form. The model 2200 M 45 is similar to the model
2200 F 45 but has an external thread on the fitting.

The model 3200 is an insert having a tapered thread. It
is designed to take the same seal cap as the other models.

All Speed-Kleen Fills are made in 2 inch size.

Inspection and Test

The details of construction were examined by Ass't Engi-
neer G. F. Sklenarik, Committee on Test.

Recommendation

On the basis of the examination and the data filed by the
applicant, the Committee on Test recommends the approval
of the Speed-Kleen Fills, Models 2200, 2200 M 45, 2200 F
45, and 3200 for use in New York City under the Provisions
of the Oil Burner Rules of the Board and when installed in
accordance with this report and provided that the seal caps
are lettered with the words "Fuel Oil" and the Calendar
Number "411-58-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does
hereby approve this material in accordance with the above
report.

490-58-SA

APPLICANT—Surface Combustion Corp., Janitrol Divi-
sion, owner.

SUBJECT—Application Aug. 18, 1958, Janitrol Oil Fired
Conditioners, Series OFLS-OFVS, OFDS and OFHS,
approval of.

APPEARANCES—

For Applicant: K. G. Hull.

ACTION OF BOARD—Appliance approved in accordance
with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 490-58-SA.

SUBJECT—Janitrol Oil Fired Conditioners, Series OFLS,
OFVS, OFDS, OFHS.

Janitrol Division, Surface Combustion Corp., New York,
N.Y., filed August 18, 1958 an application with the Board
of Standards and Appeals, for approval of the Janitrol
Oil Fired Conditioners, Series OFLS, OFVS, OFDS,
OFHS under the provisions of Article 12, Administrative
Building Code and the Oil Burner Rules of the Board.

Purpose

Oil fired warm air furnaces for residential, commercial
and industrial use.

Description

The OFLS, OFVS, OFDS and OFHS Series consist of
a heavy gauge steel heat exchanger and radiator assembly,
a light weight refractory or stainless steel combustion cham-
ber and a flange mounted high pressure atomizing type oil
burner designed to burn No. 2 fuel oil, Standard controls
consist of a barometric draft control, a primary control
such as a stack switch to shut down the burner in case of
ignition or flame failure, a fan limit control to shut down
the unit in the event of excessive warm air temperature
and a low voltage thermostat.

The OFLS Series is a "low boy" unit produced in four
sizes, 85,000 102,000, 135,000, and 180,000 Btu. per hour out-
put at the bonnet with firing rates of .75, 1.00, 1.25 and
1.65 gallon per hour respectively. This series is equipped
with a light weight refractory combustion chamber liner
except the 180,000 Btu. unit which has a stainless steel
combustion chamber.

The OFVS Series is a vertical upflow assembly used
where sufficient headroom is available and is produced in
three sizes, 85,000 102,000 and 135,000 Btu per hour out-
put as the bonnet with firing rates of .75, 1.00 and 1.25 gal-
lons per hour respectively. This series is equipped with a
light weight refractory combustion chamber liner.

The OFDS Series is a counter flow assembly intended for
use in Buildings where the warm air distribution system is
located below the unit. This series is produced in three
sizes, 85,000, 102,000 and 135,000 Btu per hour output at the
bonnet with firing rates of .75 1.00 and 1.25 gallons per
hour respectively. This series is equipped with a light weight
refractory combustion chamber liner.

The OFHS Series are suspended type heaters produced in
five sizes, 84,000 110,000 140,000 180,000 and 250,000 Btu
per hour output at the bonnet with firing rates of .75, 1.00,
1.25, 1.65 and 2.25 gallons per hour respectively. This series
is equipped with a stainless steel combustion chamber.

Inspection and Test

All details of construction were examined by Assistant
Engineer G. F. Sklenarik, Committee on Test.

The OFLS, OFVS, OFDS and OFHS Series have been
tested and approved by the Underwriters' Laboratories, filed
MP 247 and MP 2479B.

Recommendation

On the basis of the examination and the data submitted
by the applicant, the Committee on Test recommends the
approval of the Janitrol Oil Fired Conditioner Series OFLS,
OFVS, OFDS and OFHS for use in New York City, in
accordance with this report and the provisions of the Oil
Burner Rules of the Board and of Article 12, Adminis-
trative Building Code including the clearance requirements
set forth therein and provided that such oil fired condi-

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tioners are not installed in garages or other places where there may be explosive atmospheres and further that each oil fired conditioner shall bear a label, permanently affixed, reading "Approval by the Board of Standards and Appeals for use in New York City under Calendar Number 490-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

47-47-SA

APPLICANT—Holland Furnace Company, owner.
SUBJECT—Applicaion for consideration—reopening for report as to change of model designaion—re Holland Oil Burner, Model P-2; previously approved.

APPEARANCES—

For Applicant: E. F. Kunst.

ACTION OF BOARD—Reopened for report as to change of model designation.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

367-49-SA—Vol. II

APPLICANT—Armstrong Furnace Company, owner.
SUBJECT—Application for considertaion—reopening for additional trade name—re Armstrong Oil Burner, Model D-1, D-2 and D1-2; previously approved.

APPEARANCES—

For Applicant: Frank Brown.

ACTION OF BOARD—Reopened as Vol. II for report as to additional trade name.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

349-52-SA—Vol. II

APPLICANT—Janitrol Surface Combustion Corp., owner.
SUBJECT—Application for consideration—reopening for additional models—re FES-05 Series, FES-45 Series, BCCA-55 Series, BCCL-05 Series and BCCL-55 Series, Janitrol Unit Heaters, Models BCCA-05, BCC-05, BCCL-05 and FES-05 Series; previously approved.

APPEARANCES—

For Applicant: K. G. Hull.

ACTION OF BOARD—Reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

511-52-SA

APPLICANT—Norman Products Company, owner.
SUBJECT—Application for consideration—reopening for report as to additional models—re Norman Three-Sixty Gas-fired Unit Heaters, Models RDH-100A, RHD-100C; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

788-53-SM

APPLICANT—Eagle Manufacturing Company, owner.
SUBJECT—Application for consideration—reopening for report as to smaller safety cans—re Eagle Safety Cans (1 gal., 2½ gal. and 5 gal. capacity equipped with flame arrestors or screen strainers); (containers for temporary storage of flammable liquids); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Reopening for report as to smaller size safety cans.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

336-55-SA

APPLICANT—Metalmaster Corporation, owner.
SUBJECT—Application for consideration—reopening for report as to additional trade name—re A-1 & B-1, A1-5 & B1-5, AS2 & BS2, A1-1 & B1-1, A-2 & B2, A1-6 & B1-6, A1-2 & B1-2, A2-1 & B2-1, A2-2 & B2-2, A1-3 & B1-3, & B1-3, & B3, AS2-1 & BS2-1 Oil Burners, Models B-15, BS2-1 and B2, marketed by Edwards Eng. Company under trade name of Spi-Rol-Fin, Models BS201 and BS, S-11, S-1, S-2, S-21 and S-3; Utica Oil Burner, Models A-11, A-1, A-2 and A-3; Percoflash Mfg. Corp. by trade name Percoflash and Delta Heating Corp. as Delta P-1, P-2 and P-3; and Metalmaster Oil Burner and Silent Heat Distributing Corp. Oil Burner Models AA-1, A-2, A-3 and A-11; previously approved.

APPEARANCES—

For Applicant: Sydney Cohen.

ACTION OF BOARD—Reopened for report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

91-40-SA—Vols. I, II, III, IV, V

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Purox Welding Blowpipes, Prest-O-Weld Welding Blowpipes, Prest-O-Weld Cutting Blowpipes; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application referred to Examiner for further study.

866-47-SA

APPLICANT—The Linde Air Products Company, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional use—re Oxweld Cutting Blowpipe (various models) and Purox Cutting Attachment Type No. 35 and Type No. CW202; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off calendar; referred to Examiner for further study.

899-47-SA

APPLICANT—Bryant Division of Carrier Corporation, owner.
SUBJECT—Application for reopening and amendment of resolution as to additional models of Gas-Fired Forced Air Furnaces, namely Model 385—re Bryant Winter Air Conditioner; previously approved.

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APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P.M. No appearance for applicant.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional trade names—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P.M. No appearance for applicant.

499-50-SA

APPLICANT—Bryant Manufacturing Company, for Affiliated Gas Equipt., Inc., owner.

SUBJECT—Application for a reopening and amendment of resolution as to new Model designations, namely Model 387—re Bryant Gas-fired Winter Air Conditioner, Model BA 87; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P.M. No appearance for applicant.

350-51-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re ABC Oil Burner, Model 40, Thatcher Furnace Co. under name of Thatcher Oil Burner, Models 751-1, 751-2 and 751-3, Mt. Hawley Div 1 of Bryant Mfg. Co.—Mt. Hawley Div. Model 40 Oil Burner; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P.M. No appearance for applicant.

489-54-SA

APPLICANT—Delco Appliance Div. of General Motors Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc. under Petroleum, Heat & Power Co., Models D-2 and D-3, Delco Pressure Atomizing Oil Burner; previously approved and marketed under various trade names.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P. M. no appearance for applicant.

667-54-SA

APPLICANT—Berger Furnace Division of Burnham Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to change of ownership—re Berger Gas-fired Warm Air Furnace (various models); previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P. M. No appearance for applicant.

199-55-SA—Vols. I & II

APPLICANT—Linde Air Products Co., Division of Union Carbide & Carbon Corp., owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional use—re Oxweld W-45 Welding Blowpipe and Oxweld CW-45 Cutting Attachment; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off calendar; referred to Examiner.

720-56-SA

APPLICANT—Burnham Corporation, Boiler Division, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas boiler "Holiday 70"—re Holiday No. 60 Gas Boiler, Models 4-60, 5-60, 6-60, 7-60, 8-60, 10-60 and 12-60; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P. M. no appearance for applicant.

662-57-SM

APPLICANT—E. K. Lofberg for Corning Glass Works, owner.

SUBJECT—Application August 22, 1957—Pyrex Brand Glass Pipe, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off calendar; referred to Examiner for further study.

176-58-SM

APPLICANT—Temp-Resisto Drapery Corporation, owner.

SUBJECT—Application November 7, 1957—Temp-Resisto Drapery Lining, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P. M. No appearance for applicant.

604-55-A

APPLICANT—Max Horn, for George Cooke, owner.

SUBJECT—Application for consideration—reopening for extension of terms of variance—re Appeal from a decision of the Borough superintendent—re trailer camp, construction, height of floor, sanitary drain, etc., previously granted on condition.

PREMISES AFFECTED—134-26 157th Street, West side, 230 feet south of 134th Avenue, Block 12295, Lot 19, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: M. Horn.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 27, 1956, on certain conditions; and

WHEREAS, the term of variance was extended on October 22; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on November 27, 1956, only so far as it has reference to the term of variance, so that as amended this portion of the resolution shall read:

"... granted for a term of one year from the date of this amended resolution on condition that the requirements of the resolution adopted by the Board on November 27, 1956, above cited, shall be complied with; and that a new Certificate of Occupancy for an additional year herein granted shall be obtained to supersede the present Certificate of Occupancy No. Q 120900 issued under Alteration Application 1043/55."

MINUTES

318-58-A

APPLICANT—Leonard F. Rothkrug, for B. Balzino Dress Co., Inc., owner.

SUBJECT—Application May 13, 1958—Appeal from an order and a decision of the Fire Commissioner, re bars on windows.

PREMISES AFFECTED—49-63 Quentin Road, northwest corner of West 11th Street, Block 6620, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner dated May 8, 1958, reads:

"Arrange bars on windows on 1st story so as to readily movable or removable from both sides in such a manner as to afford free and unobstructed use of such windows for the purpose of egress as per Sec. 272 of the L.L."

and

WHEREAS, the applicant states that the premises consist of a lot 147 feet 5½ inches by 61 feet 4½ inches irregular, located in business use, D area, class 1 height district, upon which there exists a one story, 12 feet high, class 3 constructed building, erected in 1921 and used and occupied as follows: Cellar—storage and boiler room, no persons; 1st floor—manufacturing of dresses and luncheonette, 23 persons; that for which Certificate of Occupancy #138493 was issued against Alt. Applic. 4390/53 for store and light manufacturing, 23 persons; and

WHEREAS, the applicant contends that the building faces on four (4) streets, that the factory portion occupies most of the building and faces three (3) streets; that the exit requirements of the Labor Law are more than fully satisfied by the existing exits; that two remotely located exits lead to Kings Highway and three exits lead to Quentin Road and an exit through office leads to West 12th Street; and

WHEREAS, the applicant further states that the building is one story in height and the security sash is necessary for the protection of the premises when vacant; that the factory area is small and with a low number of occupants; that compliance with the Fire Department order would be a hardship on the part of the owner and would prevent proper protection of the building; that Section 272 of the Labor Law does not clearly show applicability for one story building of this nature and court decisions have held that exit doors that were not required under the Labor Law could be kept locked and by implication windows which are not required for egress may also be kept locked; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Fire Commissioner dated May 8, 1958 to modify the requirements as to bars on windows be and it hereby is *modified* and that the appeal be and it hereby is *granted* on condition that the building shall not be increased in height or area; that the means of exit as shown on plans filed with this Appeal marked, "Received May 13, 1958," 2 sheets, and "May 28, 1958," 1 sheet, shall be maintained; and that the doors not now swinging in the direction of the exit shall be changed so as to have vestibules within the building and the doors changed to swing outwardly, but not beyond the permitted distance over the building line.

337-58-A

APPLICANT—Lama, Proskauer and Prober, for Sun Parking Garage, owner.

SUBJECT—Applicaion May 23, 1958—Appeal from an

order from the Fire Commissioner, re storage garage.
PREMISES—148 West 48th Street, south side, 225 feet, east of 7th Avenue, Block 1000, Lot 53, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal granted on condition .

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated May 1, 1958, reads:

"1. Discontinue operation of storage garage within 20 feet of nearest wall building occupied as a theatre in accordance with C19-65.05."

and

WHEREAS, the applicant states that the premises consist of a lot 75 feet by 100 feet 5 inches, located in retail 1 use, B area, class 2 height district, upon which there exists a 6 story, 60 feet high, class 1 construction, 75 feet by 100 feet 5 inches at cellar and 1st floor, 75 feet by 90 feet 5 inches on 2nd to 6th floors, erected 1955, and used and occupied as follows: Cellar—garage for more than 5 motor vehicles, same for 2nd, 3rd, 4th, 5th, 6th and roof, 2 persons each floor; 1st floor—storage garage for more than 5 motor vehicles, 30 persons, for which Certificate of Occupancy #43963 was issued against N.B. Applic. 141/52; and

WHEREAS, the applicant contends that the theatre building in question is located 9 feet 6 inches maximum and 4 feet minimum distant from the east wall of the garage; that the east wall of the garage is constructed of masonry and is unpierced for its entire length and height; that the theatre wall is masonry and is unpierced except for the fireproof doors that lead to the stair in the court; that the garage door is located 20 feet from the theatre wall; that the two 550 gallon gasoline tanks are buried below the cellar floor and are installed in accordance with the rules and regulations applicable thereto; that therefore in view of the facts as stated above and inasmuch as only a small portion of this garage is within 20 feet of the theatre, it is respectfully requested that this application be granted; and

WHEREAS, the premises was inspected by a committee of the Board; and

WHEREAS, it appears from a study of the zoning application before the Board, namely 541-56-BZ, that the theatre on the adjoining premises was in existence at the time this action to permit a gasoline selling station was acted on by the Board.

Resolved, that the decision of the Fire Commissioner dated May 1, 1958, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be no extension of the gas line system or any relocation of such tanks or pumps within 40 feet of the wall of the theatre; that the tanks in question located below grade in the cellar of the building shall not be increased and shall comply with the requirements of the resolution adopted by the Board on April 24, 1957, under Cal. No. 541-56-BZ, reading as follows:

"That the application be and it hereby is granted under Section 7c, to permit the construction and maintenance of a gasoline selling station consisting of two approved 550 gallon tanks in the cellar and two pumps on the first floor, located as shown, all as indicated on plans filed with this application marked, "Received July 18, 1956", 6 sheets, showing existing conditions and 5 sheets showing proposed conditions, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required including a new Certificate of Occupancy as a storage garage shall be obtained and all work completed within six months from the date of this resolution."

MINUTES

428-58-A

APPLICANT—Harold Herman, for Mayfair-York Corporation, owner.

SUBJECT—Application July 16, 1958—Appeal from a decision of the Borough Superintendent, re temporary Certificate of Occupancy.

PREMISES AFFECTED—36 Gramercy Park East, east side, 39 feet, 5 $\frac{1}{4}$ inches south of Gramercy Park North, Block 876, Lot 21, Borough of Manhattan.

APPEARANCES—

For Applicant: Harold Herman.

ACTION OF BOARD—Appeal granted on condition.

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 7, 1958 subject to this appeal reads:

“Re: Certificate of Occupancy Appl. #239/58
Premises: 36 Gramercy Park East, Manhattan

With reference to your letter of July 2, 1958, in connection with temporary certificate of occupancy for premises 36 Gramercy Park, East, we wish to advise you as follows:

A memorandum issued by the Borough Superintendent dated January 29, 1958, denies the issuance of a temporary occupancy where the alteration application under which the work was done is more than two years old at the time of the receipt of the application for a temporary certificate of occupancy.”

and

WHEREAS, the applicant has filed a copy of a decision of the Borough Superintendent, dated February 7, 1958, reading as follows:

“In reply to your letter of January 24, 1958, in reference to above premises, please be advised that our inspector reports as follows:

Building Department memo of February 4, 1958 states that permission to use an apartment or floor can only be granted by the issuance of temporary certificate of occupancy.”

and

WHEREAS, the applicant states that the building is 12 stories, 140 feet 8 inches in height, 83 feet 4 $\frac{3}{8}$ inches front by 63 feet 10 inches in depth of fireproof construction, erected 1909, located in residence use, B area, class 1 $\frac{1}{2}$ height district, and used and occupied since 1909: Basement—apartment, storage and boiler room; 1st floor—4 apartments; 2nd floor—3 apartments, 3rd, 4th and 5th floors—2 apartments each floor; 6th floor—5 apartments; 7th floor—4 apartments; 8th floor—4 apartments; 9th floor—2 apartments; 10th and 11th floors—5 apartments each floor—12th floor—3 apartments; penthouse—5 apartments; that it is now proposed to be used and occupied as follows: basement—1 apartment, storage and boiler rooms; 1st floor—4 apartments; 2nd floor—4 apartments; 3rd, 4th and 5th floors—4 apartments each floor; 6th floor—5 apartments; 7th floor—4 apartments; 8th floor—5 apartments; 9th floor—4 apartments; 10th and 11th floors—5 apartments each floor; 12th floor—4 apartments; penthouse—5 apartments; and

WHEREAS, Violation #8407 was issued December 3, 1957, for occupying the premises without completing Alt. Applic. 182/53 and obtaining a certificate of occupancy as required by law; and

WHEREAS, the applicant states that the present owner acquired the building on February 1, 1953, and thereafter plans were filed and approved under Alt. Applic. 182/53; that when the owner acquired the property it substantially consisted of two apartments each of the 12 floors; that plus a serving room and storage room on the roof; that under Alt. Applic. 182/53 as approved and later amended, each old apartment consisted of about 8 rooms, were to be altered into two new room apartments, except on the 6th, 8th, 10th and 11th floors, five (5) apartments were to be

created and a new apartment was to be created in the basement for the superintendent and five new apartments on the penthouse floor; that of the original twenty-four 8 room apartments, thirteen have already been altered into thirty new apartments; that while alterations in some of the new apartments were still in progress; and

WHEREAS, the applicant contends that it was the custom in the past for the Department to issue a letter stating that the Department has no objection to the occupancy of such new apartments, pending the completion of the alteration of the entire building, and the issuance of certificate of occupancy for same; that the owner has such letters covering the occupancy of each of the twenty-four (24) new apartments, resulting in the alteration of the eleven (11) old 8 room apartments; that with respect to the 12th and 13th old apartments altered on the north half of the 10th floor and south half of the 12th floor, the Borough Superintendent advised the contractor that such letters were no longer to be issued and instead it was necessary to apply for a temporary certificate of occupancy in the future, as each apartment was altered; that the owner filed an application for a temporary certificate of occupancy, March 18, 1958, for apartments 10N, 10E, 12W and 12S under Certificate of Occupancy #239/58; that the Borough Superintendent ruled that any temporary certificate of occupancy will not be issued where the alteration application is more than 2 years old, pursuant to a new rule of the Borough Superintendent, dated January 29, 1958; that the Borough Superintendent approved amendment to Alt. Applic. 182/53 as late as May 21, 1958; that it can not now be understood how the Department can place January 8, 1958 violation on and keep giving approvals to amendments through May 21, 1958; that the Board has passed on a similar matter, in the matter of Hanover Construction Corporation as published in the Bulletin of the Board, dated March 5, 1957, Pages 438 and 439; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated July 7, 1958, acting on Alt. Applic. 182/53 and Certificate of Occupancy Application #239/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that upon completion of the work now in progress under such application above cited, temporary Certificates of Occupancy covering the particular apartments as completed shall be issued under the Building Code, stamped as required by the general resolution of the Board in this connection with Certificates of Occupancy to indicate that this is also a Certificate of Compliance or Occupancy under Section 310 of the Multiple Dwelling Law; and that there shall be issued, when all apartments proposed to be altered are completed, a new permanent Certificate of Occupancy for the entire building.

520-58-A

APPLICANT—Howard M. Dowling, for Board of Education, City of New York, owner.

SUBJECT—Application August 26, 1958—Appeal from a decision of the Borough Superintendent, re standpipe system.

PREMISES AFFECTED—21 West 138th Street, north side, 111 feet, 9 $\frac{3}{4}$ inches west of 5th Avenue and 16-18 West 139th Street, Block 1736, Lot 27, Public School 100, Borough of Manhattan.

APPEARANCES—

For Applicant: Bela C. Alexy.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 8, 1957, redated August 20, 1958, on Violation #843/56, reads:

MINUTES

"In your letter of October 1, 1957 you requested that Violation #843-56, filed against Public School No. 100 (N. Y. Voc. H. S.) located at 21 West 138th Street, be dismissed.

It is regretted that we cannot comply with your request. A standpipe is required for existing buildings exceeding specified heights or areas by the provisions of Section C26-1381.0.

This department does not have the power to set aside the provisions of the Administrative Code. It is suggested that an appeal be made to the Board of Standards and Appeals."

and

WHEREAS, Violation #843/56 issued by the Borough Superintendent, February 2, 1956 was occupying a 6 story school building without a standpipe system as required by law; and

WHEREAS, Violation #843/56 superseded by Violation #4219/49; and

WHEREAS, the applicant states that the building is 6 stories, 103 feet 10 inches and 86 feet in height, 170 feet front by 199 feet 10 inches in depth, of fireproof construction, erected 1907, located in a business and unrestricted use, B area, class 1½ height district, and used and occupied since erection as a public school, equipped with an approved fire alarm system and regular monthly fire drills are maintained; that there are 4 double stairs, 44 inches wide, steel construction, enclosed in partitions of 4 inch terra cotta plastered both sides of metal and glass partitions, equipped with kalameined and glass self-closing door; and

WHEREAS, the applicant states that the building was erected in 1907 as a public school and it has been occupied since in compliance with the Building Code; that the building is equipped with a fire alarm telegraph box, located adjacent to the principal's office as well as an interior fire alarm system; that rapid dismissal drills are conducted under the competent supervision of the teaching personnel; that in those rooms in the building, which even remotely resemble hazardous use, automatic sprinklers are provided such as in the auditorium stage, dressing rooms, store rooms, paper chutes, etc.; that the building is equipped with hand fire extinguishers, conveniently located throughout the building for ready use by the teaching personnel in the event of necessity; and

WHEREAS, the applicant contends since the Fire Department responds within matter of minutes after receipt of the alarm, and since the personnel in the building is not trained to handle fire hose, and since the Fire Department uses their own hose, coupled to hydrants and pumpers, the installation of a standpipe system in this building is unnecessary and would require an unwarranted expenditure of funds; that the Board of Education receives a limited amount of money for maintaining school buildings and any diversion of these funds would seriously create hardship, resulting in a possible breakdown in the maintenance of school property; that in view of precautionary means already installed to protect the occupants of the building, it is requested that the decision and order of the Borough Superintendent be modified so as to omit the requirements for the installation of a standpipe system in this building; and

WHEREAS, the premises was inspected by a committee of the Board and the matter concerns a request for elimination of the required standpipe system required because of the height of the building exceeding the height of 75 feet, the building being 103 feet, and is less than the Board has previously permitted on another City school of similar condition.

Resolved, that the decision of the Borough Superintendent, dated October 8, 1957, redated October 20, 1958, acting on Violation #843/56 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the omission of the standpipe as proposed inasmuch as the building was erected prior to the adoption of the present requirements in the Building Code, and inasmuch as the occupancy of the school has no excessive amount of combustible or inflammable material; and that the proposed fire protection equip-

ment consisting of sprinklers, fire alarm system and monthly fire drills, shall be maintained as shown on plans filed with this appeal marked, "Received August 26, 1958," 12 sheets.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

APPEARANCES—

For Applicant: Bernard J. Sheftman.

ACTION OF BOARD—Laid over to November 5, 1958, at 2 P.M., for inspection and decision; hearing closed.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner. The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side of, 237 feet East of Clinton Street, second floor. Block 250, Lot 13. Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to November 5, 1958, at 2 P.M., for inspection and decision; hearing closed.

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

APPEARANCES—

For Applicant: Seymour A. Mitteldorf, Milton Z. Wal-lach.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P.M., for applicant to file corrected plans of exit and permission of owner of record of parking lot for use of same as emergency exit; hearing closed.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08 40th Road, southeast corner, Block 403, Lot 43, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P.M., for inspection and decision; hearing closed.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben Beverly, owner; Ben Beverly Equipment Co., Inc., lessee.

SUBJECT—Application June 8, 1955—Appeal from a decision of the Borough Superintendent—re frame building—factory use.

PREMISES AFFECTED—38-02 28th Street, southwest corner of 38th Avenue, Block 386, Lot 16, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Warren A. Sambach.

ACTION OF BOARD—Laid over to November 12, 1958,

MINUTES

at 2 P.M., for inspection and decision; applicant to file plan showing all other buildings; hearing closed.

987-55-A

APPLICANT—Dorothy Clover, neighboring property owner.

OWNER OF PREMISES—Hanco Realty and Finance Corp.

LESSEE—Taft Cleaners and Dyers, Inc.

SUBJECT—Application December 14, 1955—Appeal from a decision of the Borough Superintendent—re Revocation of Certificate of Occupancy.

PREMISES AFFECTED—461 Forest Avenue, northwest corner of Hoyt Avenue, Block 136, Lot 49, Randall Manor, Borough of Richmond.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off calendar and returned to examiner for further study.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.

SUBJECT—Application August 14, 1956—Appeal from a decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Tricarico.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P.M., for inspection and decision; hearing closed.

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquefied Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: L. A. Hunziker and W. E. Tate.

ACTION OF BOARD—Laid over to October 28, 1958, at 2 P.M., for further consideration and decision; hearing closed.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, bldg. being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P.M., for inspection and decision.

356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Hannes and Sidney Goldhammer.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P.M., for inspection and decision.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Hannes and Sidney Goldhammer.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P. M., for inspection and decision.

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Hannes and Sidney Goldhammer.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P. M. for inspection and decision.

706-29-BZ—Vol. II

APPLICANT—Irving P. Marks, for Aaron Golden, owner; Joseph Resnikoff, lessee.

SUBJECT—Application for consideration—reopening as to extension of time to complete which expired July 23, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7a of the Zoning Resolution, permitting in a business and unrestricted use district, the reconstruction of part of the existing gasoline service station and extend the present uses to include auto laundry, auto repair shop and day and night parking of more than five motor vehicles from the unrestricted portion of the plot to the business portion of the plot.

PREMISES AFFECTED—2054-2076 Pitkin Avenue, south side, from Sheffield Avenue to Pennsylvania Avenue, 225-235 Sheffield Avenue and 238-240 Pennsylvania Avenue, Block 3737, Lots 14 and 21, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on March 5, 1957, on certain conditions; and

WHEREAS, the resolution was amended on July 23, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 23, 1957, only so far as it has permits and completion of the work, this portion of the resolution shall read:

“... that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 1269/56)

321-30-BZ—Vol. II

APPLICANT—Lama, Proskauer & Prober, for Henry Bender, owner.

SUBJECT—Application for consideration—reopening for

MINUTES

extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a local retail use district, the change of use of the existing gasoline station, office, and grease lift to gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage room and parking and storage of motor vehicles.

PREMISES AFFECTED—154-09 to 154-17 (154-11 official) Union Turnpike and 79-36 to 79-42 Parsons Boulevard, northwest corner, Block 6817, Lot 32, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II on May 7, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 29, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 7, 1957, under Vol. II, as thereafter *amended* by resolution adopted on October 29, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work is in progress, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 2399/55)

50-41-BZ—Vol. III

APPLICANT—Salvatore Scala, part owner and Transit Authority, as successors to Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution for term of years, permitting partly in a business use and partly in a residence use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—310-320 Smith Street and 291-295 President Street, northwest corner, Block 435, Lot 36 and part of Lot 31, Borough of Brooklyn.

APPEARANCES—

For Applicant: Salvatore Scala.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 14, 1953, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 1, 1945, as thereafter *amended* by resolutions adopted through October 14, 1953, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision h for a

term of 5 years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution.” (B. N. 8/44)

165-48-BZ—Vol. IV

APPLICANT—Paul Trapani, for Estate of Victory and Concetta Minichiello (Eledliza, executrix), owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a, 7c and 7e of the Zoning Resolution, permitting in a business use district, the extension of existing gasoline service station and repair shop (hand tools only) to include automatic car wash (granted by the Board under Cal. No. 165-48-BZ Vol. II) but not built, and store for accessories and reconstruction and extension of existing 2 car garage and conversion of same to auto repair shop.

PREMISES AFFECTED—2580 Gunther Avenue and 1738 Gunhill Road, southeast corner, Block 4494, Lots 44 and 46, Borough of The Bronx.

APPEARANCES—

For Applicant: Paul Trapani and Carlo Minichiello.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE:

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol IV on July 17, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on September 10, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 26, 1948, as thereafter *amended* by resolutions adopted through July 17, 1956, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings and work is about to start, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.”

(Alt. App. 972/54) N. B. App.

341-48-BZ

APPLICANT—Lama and Proskauer and Prober, for Pasquale Mastridge, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a business building (office).

PREMISES AFFECTED—198-20 Hillside Avenue and 88-02 to 88-10 199th Street, southwest corner Block 10493, Lot 62, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

MINUTES

Negative: 0
Absent: Vice Chairman Keating 1
THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 13, 1948, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 13, 1948 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of ten years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution.” (N. B. App. 1453/-48)

710-48-BZ

APPLICANT—Samuel Weiss, for Adolph Laurent and Conrad Schweizer, owners.

SUBJECT—Application for consideration—reopening and extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a business use district, the erection and maintenance of an illuminated sign.

PREMISES AFFECTED—2236 Webster Avenue, southeast corner of East 182nd Street, Block 3030, part of Lot 52, Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Weiss.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 20, 1953, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 26, 1948, as thereafter amended by resolutions adopted through October 20, 1953, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of 5 years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that a new certificate of occupancy shall be obtained.” (Roof Sign 5/48)

170-50-BZ

APPLICANT—Lama, Proskauer and Prober, for Chevra Bikur Cholem Anache Luibeschow of Brownsville, Inc. owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 21 of the Zoning Resolution, permitting in a residence and business, C area district, the extension to existing building (cellar in height) using more than the area permitted.

PREMISES AFFECTED—76-80 East 95th Street, west side, 90 feet north of Rutland Road, Block 4597, Lot 41, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 29, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 27, 1950, as thereafter amended by resolutions adopted through October 29, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, but construction work has not commenced, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (Alt. App. 432-50)

31-53-BZ

APPLICANT—Lama, Proskauer and Prober, for Jabe Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance, which has expired September 15, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution, permitting in a residence use district the occupancy of welding, body and fender work, incidental paint and spray work, storage of air compressors, servicing of air compressors, office and sales of air compressors and permitting the existing structure to remain for a term of years.

PREMISES AFFECTED—3429-3441 Atlantic Avenue and 320-322 Autumn Avenue, northwest corner, Block 4148, Lot 67, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 15, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on January 4, 1955; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on September 15, 1953 as thereafter amended by resolutions adopted through January 4, 1955 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

“... granted for a term of five years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution.” (Alt. App. 3245/52)

MINUTES

356-53-BZ

APPLICANT—Lama, Proskauer and Prober, for The Dime Savings Bank of Brooklyn, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 21 and 7e of the Zoning Resolution, to permit in a business use district, the maintenance of existing sign at right angle with building and projecting more than the permitted distance beyond building line.

PREMISES AFFECTED—368 Flatbush Avenue Extension, west side, 125 feet 10 $\frac{5}{8}$ inches south of Fleet Street, 9-31 DeKalb Avenue and 85 Albee Square (Fleet Street) Block 2084, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 27, 1953, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 23, 1957 only so far as it refers to the term of the variance as to a sign so that as amended this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of five years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (Alt. App. ES app. 909-52)

748-53-BZ

APPLICANT—James E. Vassalotti, for William E. Kleinhenz, owner.

SUBJECT—Application for consideration—reopening for amendment to resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 21 of the Zoning Resolution, permitting in a business use district for a term of fifteen years, the erection and maintenance of a gasoline service station and the conversion and extension of existing structure now used as an automobile showroom, to be used as an accessory building for lubricatorium, car wash, motor vehicle repairs, wheel alignment, new and used car shape-up shop, parts department and office; and to permit the erection and maintenance of an additional structure to be used as an automobile showroom, and to permit the continuation of the storage, display and sale of new and used cars on unbuilt upon portion of plot.

PREMISES AFFECTED—205-01 to 205-19 Northern Boulevard and 43-28 to 43-46 206th Street, northwest corner and 43-27 to 43-35 205th Street, Block 6269, Lot 20, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 11, 1954, on certain conditions; and

WHEREAS, the resolution was amended on July 17, 1956; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 11, 1954, as thereafter *amended* by resolutions adopted through July 17, 1956, by adding thereto:

“that in the event the construction of the Clearview Expressway requires a reduction in the size of the lot as now shown on revised plans marked ‘Received September 24, 1958’, 4 sheets, as passed on by the Borough Superintendent under Alt. App. 2031/58, objection dated September 19, 1958’, such reduction in the arrangement of the station as compared with that previously permitted by the Board may be permitted, on condition that in all other respects the resolutions above cited shall be complied with; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.”

138-55-BZ

APPLICANT—Haus & Bresin, for Arrow Service Station, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired September 24, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business and residence use district, the reconstruction and extension in area of an existing gasoline service station, to include lubricatorium, auto washing, motor vehicle repairs, safety inspection station, storage and sale of accessories and office.

PREMISES AFFECTED—98-04 to 98-08 37th Avenue, south side, 25.07 ft. east of 98th Street, Block 1761, Lot 2, Corona, Borough of Queens.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 19, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on September 24, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 19, 1955, as thereafter *amended* by resolutions adopted through September 24, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and are still active, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N. B. App. 228/55)

776-55-BZ

APPLICANT—Patrick D. Concagh, for Fred Filomino, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of

MINUTES

the Borough Superintendent; previously granted on condition, under section 7e, 7f and 7i of the Zoning Resolution, permitting in a business and residence district, the erection and maintenance of a gasoline service station, car wash, lubritorium, sales room and motor vehicle repairs with hand tools only.

PREMISES AFFECTED—3801-3811 Boston Road and 3500-3512 Baychester Avenue, northeast corner, Block 4895, Lot 6, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick D. Concagh.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 23, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 22, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 23, 1956, as thereafter *amended* by resolution adopted on October 22, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including, a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (N. B. App. 1575/55)

764-56-BZ

APPLICANT—James E. Vassalotti, for Herman and Emily Jors, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, office and sales, lubritorium, minor auto repairs, car washing, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—200-05 to 200-15 (200-05 official) Horace Harding Expressway, 58-59 to 58-71 Hollis Court Boulevard, northeast corner and 58-59 to 58-67 201st Street, Block 7451, Lot 32, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 22, 1957, on certain conditions; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 22, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work is about to start, that all permits re-

quired, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N. B. App. 3373/56)

419-57-BZ

APPLICANT—Lama, Proskauer and Prober, for 104 East Broadway Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs, car wash, storage, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2-8 Pike Street, west side, from East Broadway to Division Street, 100-104 East Broadway and 89-95 Division Street, Block 282, Lots 57 and 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 10, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 10, 1957 by adding thereto:

“that in the event the owner desires to reverse the accessory building and to change the size from 60' x 30' to 60' 4" x 29' x 8" and to change the facade of the building as shown on plans filed with this request for amendment marked, “Received August 22, 1958,” 2 sheets, and as passed on by the Borough Superintendent under New Building Application No. 30/57, under date of August 12, 1958, such changes may be permitted as shown on such plans *on condition* that in all other respects the resolution above cited shall be complied with.”

766-57-BZ

APPLICANT—Leonard F. Rothkrug, for Harry Heiman, Inc., owner; Socony Mobil Oil Co., owner under contract.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e and 7i of the Zoning Resolution, to permit in a restricted retail use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop with hand tools only, lubritorium, car washing (non-automatic), office and sales and parking of vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—715 Soundview Avenue, southwest corner of St. Lawrence Avenue, Block 3596, Lot 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

MINUTES

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 24, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution as adopted on June 24, 1958, by adding thereto:

"that in the event the owner desires to reduce the size of the accessory building and omit a curb cut and a pump island as shown on revised plans filed with this request for amendment, marked 'Received September 26, 1958', 3 sheets, and as passed on by the Borough Superintendent under N.B. 1100-57 disapproved December 17, 1958, such changes may be permitted, *on condition* that in all other respects the requirements of the above resolution shall be complied with; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."

963-57-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Harry Summer and James V. Cirillo, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, storage room, car washing, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2407-2417 Linden Boulevard and 498-510 Montauk Avenue, northwest corner, Block 4478, Lots 24 and 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Louis L. Rosenberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 29, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 29, 1958, by adding thereto:

"that in the event the owner desires to change the size of the accessory building from 60 feet by 30 feet to 55 feet 4 inches by 28 feet 8 inches and set the building back 64 feet 8 inches from Linden Boulevard instead of 80 feet and to change the design of the building, all as shown on revised plans marked "Received September 22, 1958", 2 sheets, such changes may be permitted *on condition* that the requirements of the resolution above cited shall be complied with in all other respects." (N.B. 2197/57)

81-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Thomas A. Cangem, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, to permit in a business use district, the change in use of two adjoining one-story buildings from processing and fabricating of gold for jewelry manufacturing and storage of five (5)

motor vehicles to a garage for the parking and storage of more than five (5) motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—267-269 Elizabeth Street, west side, 83 feet, 5¾ inches south of East Houston Street, Block 508, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 8, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 8, 1958, only so far as it has reference to the storage of three small trucks, so that as *amended* this portion of the resolution shall read:

"... confined to not over five small trucks, as passed on by the Borough Superintendent under Alt. Applic. 1820/57, disapproved September 25, 1958."

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner, and The Great Atlantic and Pacific Tea Company, Lessee.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under Zoning Resolution to permit the extension from a business district into a residence district of a proposed building to be occupied as a theatre and stores.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet 6 inches south of Prospect Place, Block #1160, Lot #37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

479-39-BZ—Vol. III

APPLICANT—Haus & Bresin for Lakeden Realty Corporation, owner.

SUBJECT—Application for consideration—reopening as Vol. III, subject to regular procedure—re Application, decision of the Borough Superintendent; previously dismissed, under section 7h of the Zoning Resolution, to permit in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—184-194 Ludlow Street and 207-215 East Houston Street, south east corner, Block #412, part of Lot 53, Borough of Manhattan.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

University of Illinois Library³
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247-56-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for John and Irene Stevens, owners.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of existing uses of baseball field, miniature golf and refreshment building, to include club house and golf driving range.

PREMISES AFFECTED—160-30 Cross Bay Boulevard, west side, 80 feet north of 161 Avenue, Block 14030, Lot 1, Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative:0
Absent: Vice Chairman Keating 1

377-57-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Edgersam Corporation, owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition under sections 7a, 7e and 21 of the Zoning Resolution, to permit in a retail use and D area district, the erection of an extension to an existing structure occupying more than the permitted area and extend the use of light manufacturing of incombustible plastic novelties, offices, storage of cardboard containers and incombustible plastics, parking and loading area.

PREMISES AFFECTED—45-22 to 45-30 172nd Street, west side, 200 feet south of 145th Avenue, Block 5440, Lots 51 and 54, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salminen.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative:0
Absent: Vice Chairman Keating 1

943-57-BZ

APPLICANT—Albert Melniker, for Isle Fuel Oil Service Company, owner.

SUBJECT—Application for consideration—restore to calendar for further action as to withdrawal—re Application, decision of the Borough Superintendent; hearing previously closed, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories and parking of more than 5 motor vehicles, for a stated term of 15 years.

PREMISES AFFECTED—1310 Richmond Avenue and 603 Caswell Avenue, northwest corner, Block 1644, Lot 87, Graniteville, Borough of Richmond.

APPEARANCES—

For Applicant: William E. Roehrig.

ACTION OF BOARD—Application withdrawn without prejudice, for possible reopening after the parkway construction has been completed.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative:0
Absent: Vice Chairman Keating 1

Adjourned: 4:45 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

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Address all communications to the Chairman

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COURT DECISION

Matter of John Minett, et al. vs. Murdock—On January 14, 1958 the Board granted a variance to permit a gasoline service station at 77-01 to 77-21 North Conduit Avenue, northeast corner of Sutter Avenue, Block 11340, Lot 1, Ozone Park, Borough of Queens; Cal. No. 12-57-BZ. Upon court review Mr. Justice James J. Conroy confirmed the determination of the Board and dismissed the petition and vacated the order, stating among other things the following:

"the court is of the opinion that the petitioners have not demonstrated that there are any triable issues of fact".....

"the record shows that the Board has acted upon a reasonable basis and on sufficient evidence to permit the exercise of discretionary powers under subdivisions (e) and (i) of Section 7 of the Zoning Resolution. Since the Board acted within its jurisdiction and upon substantial evidence, the court cannot set such determination aside and substitute its judgment for that of the administrative body in whom alone such discretion is vested." (N. Y. Law Journal, August 12, 1958, page 4).

Further court proceeding in the Appellate Division Second Department is pending.

A motion for a stay was made to the Appellate Division Second Department as reported in the New York Law Journal, October 10, 1958. The order of the court is as follows:

"Motion for a stay granted on condition that appellants be ready to argue or submit the appeal at the December term, beginning Monday, November 24 (for which term the appeal is ordered to be placed on the calendar), and on the further condition that appellants, within five days after the entry of the order hereon, file an undertaking for \$7,500, with corporate surety, as security for any damages that the intervenor-respondent may sustain if the order appealed from be affirmed or the appeal therefrom is dismissed."

NOTE:—An article in the New York Times October 21, 1958 indicated that a proposal for the homeowners to purchase the property and deed it to the City for a park. The matter was apparently discussed with the Local Board October 22, 1958.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

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All hearings are held at 80 Lafayette Street, Borough of Manhattan.

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Fire Drill Rules.

Rules to Supplement Section 19-A of the Zoning Resolution.

CALENDAR

DOCKET

New Cases Filed up to October 28, 1958

Cal. No. Dept. Premises Affected

604-58-BZ—B.B.—1342 65th Street, south side, 340 feet, east of 13th Avenue, Block 5754, Lot 24, Borough of Brooklyn, Alt. 2924-58—change in use from Blacksmith Shop to storage and light repairs on Air Conditioning equipment, residence use district.

605-58-BZ—B.B.—1694 Church Avenue, south side, 215 feet, 9 inches east of Buckingham Road, Block 5097, Lot 76, Borough of Brooklyn, Alt. 1795-58—storage use in rear portion of lot—residence and business use districts.

606-58-BZ—B.B.—370-372 Lefferts Avenue, south side, 416 feet, 2 $\frac{3}{8}$ inches east of Nostrand Avenue, Block 1330, Lots 21 and 22, Borough of Brooklyn, Alt. 2778-58—parking of motor vehicles, residence use district.

607-58-SA—Berger or Burnham DeLuxe and Eldorado Gas-fired Highboy and Counterflow Forced Warm Air Furnaces, Models BGK, 75V, BGK 75R, LGK 75V, LGK 75R, BGK 100V, BGK 100R, LGK 100V, LGK 100R, BGK 125V and LGK 125V, manufactured by Burnham Corporation, Appliance.

608-58-A—B.M.—13-19 White Street, south side, 135.2 feet east of West Broadway, Block 178, Lot 25, Borough of Manhattan, Alt. 1560-55—proposed steps to Fire Escape.

609-58-BZ—B.Q.—40-14 80th Street, west side, 100 feet south of Roosevelt Avenue, Block 1490, Lot 12, Jackson Heights, Borough of Queens, Alt. 1325-58—parking and storage of motor vehicles, residence use district.

610-58-SA—Conservomatic Disposal System for masticating rubbish, Models A and B, manufactured by Conservomatic Corporation, Appliance.

611-58-SM—Dynel Woven and Printed Upholstery and Drapery Fabrics, flameproofed for places of Public Assembly, manufactured by F. Schumacher and Co., Material.

612-58-SA—Minipump Rinse Injector, Model 4, for Dishwashing Machines, manufactured by Thunderbird Engineering Co., Appliance.

613-58-A—F.D.—217-283 63rd Street, northwest corner of 3rd Avenue, Block 5798, Lot 46, Borough of Brooklyn, Decision re use of Spraying Unit not of approved type.

614-58-BZ—B.M.—105-107 West 90th Street, north side, 100 feet west of Columbus Avenue and 104-106 West 91st Street, Block 1221, Lot 28, Borough of Manhattan, Alt. 1266-58—parking lot, residence use district.

615-58-BZ—B.M.—101-115 West 92nd Street, 660-664 Columbus Avenue, northwest corner and 108-118 West 93rd Street, Block 1223, Lot 25, Borough of Manhattan, Alt. 1265-58—parking lot, residence and business use districts.

616-58-BZ—B.Q.—419 Beach 133rd Street, west side, 170 feet north of Newport Avenue, Block 684, Lot 32, Belle

Harbor, Borough of Queens, Alt. 858-57—G-1 area district, conversion from one to two family dwelling, residence use district.

617-58-A—B.B.—2974-2984 Cropsey Avenue, west side, 25 feet south of Bay 53rd Street, Block 6947, Lot 301, Borough of Brooklyn, N.B. 1997-58 (under section 35, General City Law re proposed building located in bed of a mapped street—proposed West 19th Street).

618-58-BZ—B.Bx.—582 East 188th Street, and 2429-2431 Arthur Avenue, southwest corner, Block 3066, Lot 18, Borough of The Bronx, Alt. 731-58, manufacturing use in excess of 5% floor space.

Restored to Docket

552-37-A—Vol. IV—B.Q.—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens, Alt. 363-57, rearrangement of partitions and increase in number of occupants, Nursing Home.

974-47-A—Vol. II—B.B.—454 Lafayette Avenue, south side, 58 feet, 4 inches east of Franklin Avenue, Block 1950, Lot 10, Borough of Brooklyn, Alt. 1385-57, frame building commercial occupancy in basement.

150-57-A—Vol. II—B.Q.—71-45 Metropolitan Avenue, north side, 69.74 feet west of Pleasantview Street, Block 3055, Lot 16, Middle Village, Borough of Queens, N.B. 277-57, parking space in bed of proposed widening of Metropolitan Avenue.

149-57-BZ—Vol. II—B.Q.—71-45 Metropolitan Avenue, north side, 69-74 feet west of Pleasantview Street, Block 3055, Lot 16, Middle Village, Borough of Queens, N.B. 277-57, proposed extension of fireproof building for manufacturing and office use, business and residence use districts.

657-52-BZ—B.Bx.—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx, Alt. 662-52, extension of term of variance, parking and storage of motor vehicles, residence use district.

338-46-BZ—Vol. II—B.B.—1498-1526 Coney Island Avenue, west side, 100 feet north of Avenue L, Block 6536, Lots 30 and 34, Borough of Brooklyn, N.B. 1804-58, erection of building to be used as Motor Vehicle Repair shop, auto showroom, etc., parking, sale and display, new and used cars, etc., business use district.

223-31-BZ—Vol. II—B.Bx.—2871-2875 Baisley Avenue and 3319-3333 East Tremont Avenue, northwest corner, Block 5333, Lots 1, 4 and 110, Borough of The Bronx, N.B. 709-58, erection and maintenance of gasoline service station, lubricatorium, etc. parking of more than 5 motor vehicles, minor repairs, etc. residence and business use districts.

623-55-BZ—B.Q.—35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens, Alt. 1367-55—extension of time, re parking for patrons of adjoining store.

CALENDAR

881-54-BZ—B.Q.—218-10 Northern Boulevard, south side, block front from Springfield Boulevard to 218th Street, 45-02 to 45-12 Springfield Boulevard and 45-01 to 45-09 218th Street, Block 2338, Lot 10, Bayside, Borough of Queens, Alt. 2154-58, erection of extension to existing gasoline service station, auto washing, lubritorium, office, parking and storage, etc. re sign, rear yard, etc. retail and residence use districts.

787-55-BZ—Vol. III—B.M.—160-168 Ridge Street and 339-345 East Houston Street, Block 345, Lots 44, 48, 49 and 50, Borough of Manhattan, N.B. 132-55, increase in area for gasoline service station, minor repairs, lubritorium, parking and storage, business use district.

555-56-BZ—Vol. II—B.Q.—22-50 122nd Street and 121-11 23rd Avenue, northwest corner, Block 4197, Lot 40, College Point, Borough of Queens, N.B. 2370-58, erection and maintenance of gasoline service station, lubritorium, car wash, minor repairs, parking and storage, etc. re ground sign, show windows, curb cuts, etc. retail use district.

657-55-BZ—Vol. II—B.B.—1012-1022 Ralph Avenue, west side, 45 feet south of Snyder Avenue, Block 4731, Lot 42, Borough of Brooklyn, Alt. 2269-57, extension of business use into residence district, rear yard, etc., residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

	Last Publication
Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime) ..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
	Nov. 13, 1956.

	Last Publication
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—	July 11, 1958.

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

NOVEMBER 5, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 5, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the

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Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—3225 East 222nd Street, northwest corner of Baychester Avenue, Block 4880, Lots 23 and 30, Borough of The Bronx.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.
SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.
PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.
SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.
PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Segune Avenue, Block 6699, Lot 1, Princess Bay, Borough of Richmond.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.
SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hands tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.
PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.
SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.
PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.
SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.
PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.
SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.
SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, auto washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.
SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.
PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.
SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.
PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.
SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.
PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

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352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re (decision of the borough superintendent) under section 7e, of the zoning resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

Laid over from October 30, 1956 to November 27, 1956, to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957, at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the borough superintendent—re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the

Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

Laid over from September 30, 1958, date to be set pending information from the applicant as to title to premises and lease to tenant; and for inspection and decision; hearing closed; now set for November 5, 1958; now set for November 5, 1958.

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.

PREMISES AFFECTED—81-18 101st Avenue, south side, 175-12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

Laid over from October 21, 1958, to November 5, 1958, for inspection and decision; hearing closed.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

Laid over to November 5, 1958, for inspection and decision; hearing closed.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A. Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling that exceeds the permitted area coverage, exceeds the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

Laid over from October 21, 1958, to November 5, 1958, for inspection and decision; applicant to submit measured drawings and a copy of the map of the Planning Commission showing the zoning as last adopted; hearing closed.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's

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use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed; then to November 5, 1958, for statement from Park Department as to actual time of development of subject site for park purposes and for applicant to submit sworn to statement that owner will waive any claim for damages if and when property is so taken for the proposed extension to building.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

Laid over from July 22, 1958 to July 29, 1958, for inspection and decision; hearing closed; then to October 7, 1958, for further consideration and revised plans; then to October 28, 1958, applicant to file further revised plans carrying out the instructions given by the Board at the meeting of July 29, 1958; and for decision; then to November 5, 1958, for appearance of applicant and decision.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 5, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 5, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquefied Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

213-58-A

APPLICANT—Lama, Proskauer and Prober, for Barney Tall, owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re frame building—public occupancy, egress, live load.

PREMISES AFFECTED—595 Saratoga Avenue, east side, 56 feet, 5½ inches north of Sutter Avenue, Block 3515, Lot 74, Borough of Brooklyn.

925-54-A

APPLICANT—Clearview Gardens 1st through 6th Corporations, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket—Appeal from orders of the Fire Commissioner—re certificated men in boiler rooms.

PREMISES AFFECTED—160-22, 160-31 16th Avenue; 157-57, 157-58, 160-12 160-35 and 163-66 17th Avenue; 166-30 17th Road; 168-18 18th Avenue; 199-48 19th Avenue; 199-17 and 199-50 21st Avenue; 199-19 22nd Avenue; 15-31 159th Street; 15-43, 16-16, 16-25, 17-08 and 18-11 160th Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 16-14 163rd Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 17-28 201st Street; 19-32 and 21-36 202nd Street; 17-29 Utopia Parkway; 163-06,

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163-45 and 164-28 Willets Point Boulevard and 158-14 and 160-32 Cross Island Boulevard; Block 4742, Lot 22, Block 4743, Lot 1, Block 4744, Lot 28, Block 4746, Lot 35, Block 4747, Lot 38, Block 4754, Lot 1, Block 4756, Lot 1, Block 4758, Lot 10, Block 4767, Lot 1, Block 5730, Lot 1, Block 5740, Lot 139, Block 5750, Lot 6, Blocks 5778, 5781, 5784 and 5787, Lots 1, Flushing, Borough of Queens.

590-58-A

APPLICANT—Leonard F. Rothkrug, for 512 Fulton Street, Corp., owner; J. W. Mays, Inc., lessee.

SUBJECT—Application October 9, 1958—Appeal from a decision of the Borough Superintendent, re proposed escalators, cellar to 3rd floors.

PREMISES AFFECTED—263-273 Livingston Street and 22-30 Hanover Place, northwest corner, Block 160, Lot 29, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

Hearing postponed from October 7, 1958, to November 12, 1958, at the request of the applicant to revise his plans.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

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563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Kolodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

386-58-BZ

APPLICANT—Unger and Unger, for Alex Lifschutz, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of a one story extension with less than the required setback.

PREMISES AFFECTED—616 East 19th Street, southwest corner of Foster Avenue, Block 5239, Lot 44, Borough of Brooklyn.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office

and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for further inspection and decision.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area; then to October 21, 1958, for applicant to send out notices by regular mail and for inspection; then to November 12, 1958, for further inspection and decision.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector; then to October 28, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for applicant to file revised plans, show-

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ing no portion of the building in the residence district, that such portion shall be fenced and the building limited to one story, located entirely in the portion of site zoned for business use.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for applicant to file revised plans showing an unused portion of plot forty feet from the northerly lot line and running at right angles thereto as a fire break.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 12, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 12, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee. SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II Appeal from a decision of the Borough Superintendent re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08 40th Road, southeast corner, Block 403, Lot 43, Long Island City, Borough of Queens.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben Beverly, owner; Ben Beverly Equipment Co., Inc., lessee. SUBJECT—Application June 8, 1955—Appeal from a decision of the Borough Superintendent—re frame building—factory use.

PREMISES AFFECTED—38-02 28th Street, southwest corner of 38th Avenue, Block 386, Lot 16, Long Island City, Borough of Queens.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.

SUBJECT—Application August 14, 1956—Appeal from a decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, building being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 18, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, November 18, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

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PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Ave., southeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue (Street), north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

457-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of a vacant plot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2330-2334 Cambreleng Avenue, east side, 274.52 feet south of East 187th Street, Block 3089, Lots 18-19-20, Borough of the Bronx.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9½ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

272-56-BZ

APPLICANT—John Sellers Yates, for John Sellers and Marguerite T. Yates, owners.

SUBJECT—Application March 2, 1956—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of an extension for an additional entrance to an existing one family dwelling with less than the required setback.

PREMISES AFFECTED—961 Todt Hill Road, east side, 15.05 feet south of Coventry Road, Block 896, Lot 45, Dongan Hills, Borough of Richmond.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

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397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

195-57-BZ

APPLICANT—Harry A. Yarish, for Ethel Weissman, owner

SUBJECT—Application March 18, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the change in occupancy of a two car garage to a one (1) family dwelling.

PREMISES AFFECTED—3844 Laurel Avenue, south side, 120 ft east of Highland Avenue, Block 6976, Lot 13, Borough of Brooklyn.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot

of a parking lot for the parking and storage or more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

623-55-BZ

APPLICANT—Benjamin Heffner, for Estate of Samuel T. Nierenberg, owner.

SUBJECT—Application (expired October 16, 1957) reopened October 28, 1958 for consideration as to extension of time to complete—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district for a term of years, the parking of cars for patrons and employees of adjoining stores.

PREMISES AFFECTED—35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; applicant to file revised plans showing houses on either side of 101st Avenue; hearing closed.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under

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sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; applicant to file amended plans, showing pumps 15 feet from building line; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for applicant to file new decision of the Borough Superin-

tendent and revised plans—longitudinal section; hearing closed.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing-non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service

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station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to November 18 for possible sale of property for conforming use; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, November 18, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1951—1-B Master Anti-Siphonic Ballcock; previously dismissed.

881-53-SM

APPLICANT—Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., owner.
SUBJECT—Application December 10, 1953—Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive, approval of.

134-55-SA

APPLICANT—Burden Industrial Appliance Corp., for Burnham Corp., owner.
SUBJECT—Application February 18, 1955—Burnham Explosion Proof Electric Radiator, Models EPW-20, EPW-25, EPW-30, EPR-20, EPR-30, EPR-25, EP44-20, EP44-25, and EP44-30, approval of.

878-56-SM

APPLICANT—Burke, Anzini & Court Co. Inc., for Tropical Tiles Inc., owner.
SUBJECT—Application December 13, 1956—Vibracast Cement Tile, approval of.

571-57-SA

APPLICANT—Forse Corporation, owner.
SUBJECT—Application July 16, 1957—Forse Corporation Shirt Pressing & Folding Machines, approval of.

707-57-SA

APPLICANT—American Standard Air Conditioning Division, owner.
SUBJECT—Application September 6, 1957—American Standard Air Cooled Evaporator Units, Models RC-H, RC-V, RC-C, RC-B Evaporator Units and AC-A Condensing Units, approval of.

819-57-SM

APPLICANT—The Pittsburgh Corning Corporation, owner.
SUBJECT—Application October 29, 1957—Durasonic Foam-glas (acoustical tile), approval of.

897-57-SM

APPLICANT—Conviser and Company, owner.
SUBJECT—Application November 29, 1957—Conviser Concrete filled steel columns (square and rectangular), approval of.

898-57-SM

APPLICANT—Conviser and Company, owner.
SUBJECT—Application November 29, 1957—Conviser Steel Sheel Concrete filled steel columns (large diameter), approval of.

899-57-SM

APPLICANT—Conviser and Company, owner.
SUBJECT—Application November 29, 1957—Conviser Concrete filled steel columns (extra heavy weight series), approval of.

900-57-SM

APPLICANT—Joseph Platzker for Curtiss-Wright Corporation, owner.
SUBJECT—Application December 2, 1957—Curon Wall Covering, approval of.

950-57-SA

APPLICANT—The Dearborn Stove Company, owner.
SUBJECT—Application October 24, 1957—Dearborn Gas-fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A and DVCK-60A, approval of.

57-58-SM

APPLICANT—The National Gypsum Company, owner.
SUBJECT—Application January 2, 1958—Gold Bond Acoustico and Acoustiglas Ceiling Tile and Panels (incombustible acoustical materials), approval of.

101-58-SA

APPLICANT—The Alstrom Corporation, owner.
SUBJECT—Application March 5, 1958—Alstrom Filmwall Oil Preheater, Model "FW" Oil Preheater Non-contaminating, approval of.

162-58-SA

APPLICANT—Electrol Burner Mfg. Company, Inc., owner.
SUBJECT—Application March 18, 1958—Electrol Oil Burner, Models HO-2, HO-3 and HO-4, approval of.

220-58-SM

APPLICANT—Charles Bloom, Inc., owner.
SUBJECT—Application March 24, 1958—Fire-LL Drapery Fabric, approval of.

267-58-SA

APPLICANT—The Standard Electric Time Company, owner.
SUBJECT—Application March 26, 1958—Standard Electric Time Co., Emergency Lighting System, Type 32, Series 300, approval of.

271-58-SM

APPLICANT—Duffy Concrete Products Inc., owner.
SUBJECT—Application April 25, 1958—Duffcon Longspan Precast Concrete Super Slabs, approval of.

436-58-SA

APPLICANT—Tokheim Corporation, owner.
SUBJECT—Application July 18, 1958—Tokheim, Models 448 and 452 Gasoline Pumps with or without suffixes, P, PEH, RC, Twin, 1 and 2, approval of.

437-58-SA

APPLICANT—Tokheim Corporation, owner.
SUBJECT—Application July 18, 1958—Tokheim Emergency Shut-off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4, 1099-1, 1099-2, 1099-3 and 1099-4, approval of.

445-58-SA

APPLICANT—Peter S. Gluck for Earl Scheib Paint & Supply Company, owner.
SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

575-58-SA

APPLICANT—Cook Machinery Company, owner.
SUBJECT—Application October 6, 1958—Aldryer or Tumble Gas-fired Clothes Dryer, Models 37M30 and 37S30, approval of.

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408-49-SM

APPLICANT—Firedoor Corp. of America & Spartan Steel Products, owners.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to change of ownership—re World 3 Hour Hollow Metal Fire Door (panel and flush type); previously approved.

583-57-SA

APPLICANT—Air Reduction Company, owner.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution—re Airco Liquid Oxygen Station (storage and vaporization of liquid oxygen, nitrogen and argon), Models 5-4, 7-8, 9-8, 9-25, 9-40 and 9-100; previously approved.

700-55-SA

APPLICANT—Vacuum Gas Burner Company, owner.

SUBJECT—Application August 12, 1955—Blu-Flame, Models VG-35, VG-45, VG-50 and VG-60; approval of.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.

SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.

PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, east of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

572-57-A

APPLICANT—Fresh Meadow Cleaners Inc., lessee (New York Life Insurance Co., owner).

SUBJECT—Application April 3, 1957—Appeal from a decision of the Borough Superintendent, request to review Borough Superintendent's decision on wet wash laundry use.

PREMISES AFFECTED—61-48 188th Street, northwest corner of 64th Avenue, Block 7075, Lot 1, Fresh Meadows, Borough of Queens.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.

SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.

PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 25, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning November 25, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adea Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1601-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

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464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

421-58-BZ

APPLICANT—Department of Public Works, Albert B. Bauer, for City of New York, owner.

SUBJECT—Application July 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a Class 1½ height district, the erection of an eight (8) story building with less than the required setbacks on the upper floors, thereby exceeding the permitted height.

PREMISES AFFECTED—205-235 East 20th Street, north side, 75 feet, east of 3rd Avenue, Block 901, Lots 6, 9, 14, 40, 41, 42, 43, 44, Borough of Manhattan.

443-58-BZ

APPLICANT—Leonard F. Rothkrug, for Meadow Gold Products Corporation, owner.

SUBJECT—Application July 22, 1958—decision of the Borough Superintendent, under section 19A of the Zoning Resolution, to permit in an unrestricted use, A area district, a voluntary loading berth to be used in conjunction with the existing Ice Cream manufacturing plant, less than 25 feet from the intersection.

PREMISES AFFECTED—775-779 Kent Avenue, southeast corner of Little Nassau Street, Block 1884, Lot 18, Borough of Brooklyn.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Borough of Queens.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholn Parkway North, Block 3332, Lot 78, Borough of The Bronx.

551-57-BZ—Vol. II

APPLICANT—Hurley Kearney and Lane, for Samuel Edelberg, and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings

Bank building thereon and the use of the unbuilt upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

594-50-BZ—Vol. II

APPLICANT—Alvin F. Golankiewicz for Frank Golankiewicz and Roman Golankiewicz, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot consisting of three lots, the extension of a parking lot, previously granted by the Board and located on the westerly 62 feet of the premises, to occupy the entire plot.

PREMISES AFFECTED—649-659 East 225th Street, north side, 205.02 feet east of Carpenter Avenue, Block 4827, Lots 29, 34, and 36, Borough of The Bronx.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Velentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

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188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision; then to November 25, 1958, at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 25, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November 25, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

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DECEMBER 2, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 2, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to December 2, 1958, at the request of the applicant to submit a complete report of the conditions to the Board and statement as to occupancy by three families as indicated by the three bells at the side door.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of

Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

HARRIS H. MURDOCK, *Chairman*

MINUTES

REGULAR MEETING

TUESDAY MORNING, OCTOBER 28, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Wednesday morning and afternoon, October 15, 1958, were approved as printed in the Bulletin of October 21, 1958, Vol. 43, No. 42.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use

district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; hearing closed.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II

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—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan R. Ginsburg.

For Opposition: Samuel Borenstein and Fay Sorkin.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A. M. for inspection and decision; hearing closed.

919-46-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III —decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A. M. for applicant to file revised plans showing an unused portion of plot forty feet from northerly lot line and running at right angles thereto as a fire break; hearing previously closed.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, John McGrath, Robert S. Johnston and Harry Berger.

For Opposition: Barnett Guthartz, Rev. Daniel O. Stewart, Mrs. Paule Capuozzo, Mrs. John Giustimoni, Dora Karlif, May Eggleston, Frieda Guthartz, Mrs. John Wilson, Jr., Mrs. William Phillips, Mrs. A. Recker, Mrs. R. Bass, Lawrence Schwartz, John M. Power and Sidney Schwartz.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A. M. for inspection and decision; hearing closed.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the re-

quired front yard set back, without the required side yard and to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. at the request of the applicant to submit a complete report of the conditions to the Board, and statement as to occupancy by three families, as indicated by the three bells at the side door; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III —decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

APPEARANCES—

For Applicant: Stuart Mitchell.

For Opposition: None.

ACTION OF BOARD—Laid over to November 18, at 10 A. M. for withdrawal in view of possible sale of property for conforming use; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II —re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Joseph Dunn, Margaret Dunn, Lena Inconvaia and Theresa D'Angelo.

ACTION OF BOARD—Laid over to November 5, 1958, at 10 A. M. for decision; applicant to furnish corrected affidavit to bind successors and assigns; hearing previously closed.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wollheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II —decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritorium, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

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APPEARANCES—

For Applicant: C. Buckley, Jr.

For Opposition: None.

ACTION OF BOARD—Laid over for further inspection and decision; date to be determined; hearing previously closed.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for hearing as ordered by the Court; previous hearing was specifically as to section 21A and not as to the merits—decision of the Borough Superintendent; under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Gilbert Lazerus.

For Opposition: None.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; hearing closed.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, non-automatic, motor vehicle repair shop, for minor repairs, hand tools only, and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A.M. at the request of the applicant to furnish the Board with information as to the proposed community center; hearing closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A.M. at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: None.

ACTION OF BOARD—Laid over for inspection and decision; date to be determined; hearing closed.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, D area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

For Opposition: None.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A.M. for applicant to file revised plans, showing no portion of the building in the residence district, that such portion shall be fenced and the building limited to one story, located entirely in the portion of site zoned for business use; hearing previously closed.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.

SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, D area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees' cars, the proposed extension exceeds the permitted area coverage.

PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to November 5, 1958, at 10 A.M. for appearance of applicant and decision; hearing previously closed.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs, hand tools only, lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middletown Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

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APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: James S. Tobin, Angelena Argyros and Joseph Pulgane.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; applicant to file amended plans, showing pumps 15 feet from building line; hearing closed.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.
SUBJECT—Application March 28, 1958—decision of the Borough Superintendent, under section 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Carl Heimberger and Joseph A. Klar.

For Opposition: None.

ACTION OF BOARD—Laid over for further inspection and decision; date to be determined; hearing previously closed.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh and Robert J. Quinn.

For Opposition: John L. McAdam, Mary Loose, Mrs. Hall, Mrs. L. Dilorenzo, Mrs. J. Hoeppmer, Harold Deller, Michael Condon and Laura Condon.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches

on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

For Opposition: None.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; applicant to file revised plans showing front yards of several houses on either side of 101st Avenue on 222nd Street; hearing closed.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Mario A. Tucciarone.

For Opposition: Elizabeth Nolan and Dorothy Coney.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; hearing closed.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem, Harry Kobrin and Harry Appleman.

For Opposition: Edward De Martin.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M. for inspection and decision; hearing closed.

69-58-BZ

APPLICANT—Leonard F. Rothkrug, for Shenbro Realty Corp., owner; Sol Dwork, lessee.

SUBJECT—Application February 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the maintenance of one apartment on the ground floor of a multiple dwelling as a clinical laboratory for a term of ten (10) years.

PREMISES AFFECTED—1686 Grand Boulevard and Concourse, northeast corner of East 173rd Street, Block 2823, Lot 36, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application withdrawn to comply at request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

426-31-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Louis Richman, owner; Ceramic Auto Body Co., lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under section

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7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from storage garage for more than five (5) cars, automobile repairs in connection with the public garage and gasoline service station, all previously granted by the Board, to motor vehicle repair shop, collision repairs, auto painting and spraying and parking of cars awaiting servicing for a temporary term of ten (10) years.

PREMISES AFFECTED—2312-2316 Atlantic Avenue, south side, 79 feet 11 inches west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WEREAS, this application was reopened as Vol. II on January 28, 1958 subject to regular procedure; and

WEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; and

WEREAS, the district maps accompanying the Zoning Resolution show that the site, Atlantic Avenue, Pacific Street, Eastern Parkway and Rockaway Avenue are in a business use, C area, class 1 height district; and

WEREAS, the decision of the Borough Superintendent, dated December 30, 1957 acting on Alt. Applic. No. 4062-57, reads:

"1. Proposed change of occupancy, in a Business Zone, to motor vehicle repair shop, collision repairs, welding, painting and spraying, parking of cars awaiting service on unbuilt portion of the premises, is contrary to Art. II PP. 4a, subsection 4(29) of the Zoning Resolution.

Note: Premises were subject of the B.S.A. variance under Cal. #841-19-BZ."

and

WEREAS, the applicant states that the premises consist of a plot, 70 feet 1 inch frontage by 100 feet in depth, erected as a public garage and altered for use as a public garage for more than five motor vehicles, motor vehicle repair shop in connection with public garage, and gasoline service station; that it is proposed to occupy the premises as a motor vehicle repair shop, with collision repairs, auto painting and spraying and parking of cars awaiting servicing; and

WEREAS, the applicant states that these premises were first considered by the Board as a vacant lot under Cal. No. 841-19-BZ, under which application the Board permitted the erection of a public garage for more than five cars, covering the entire plot; that the garage was erected in accordance with the Resolution of the Board; that subsequently, the Board considered the premises under Cal. No. 488-29-BZ which the records indicate was filed to legalize the then existing use of the garage building as two separate motor vehicle repair shops; that the application was withdrawn on December 10, 1929 and Certificate of Occupancy No. 59625 was issued by the Department of Buildings on February 21, 1930 for occupancy of the premises as a public garage for more than five cars, and automobile repairs in connection with public garage—subject to B.Z. Res. 841-19; manual labor employed in auto repairs only; no power driven machinery other than one 2½ H.P. electric drill; no open flames, forge or anvil; and

WEREAS, the applicant further states that the Board next considered these premises under Cal. No. 426-31-BZ which was an application under Section 21, to permit in a business use district the alteration of a garage for the storage of more than five motor vehicles and also the installation of a gasoline service station; that this last application was granted by the Board on May 17, 1932 and the garage build-

ing was altered by removing the front wall back 17 feet 6 inches from the building line, and establishing a gasoline service station; and

WEREAS, the applicant contends that the present tenant has occupied the premises substantially as proposed herein since October, 1956; that the outside gasoline pumps have been removed and the gasoline storage tanks have been closed and sealed; that the unbuilt upon portion at the front, 17 feet 6 inches by 70 feet 1 inch, formerly used for the gasoline service station area, is now used for the parking of cars awaiting servicing; that the tenant intends at some future date to make application to restore this portion of the building, demolished for gasoline service station use; that a grant of the variance will not adversely affect the surrounding area; that the Board, under Cal. No. 426-31-BZ, granted a gas station use on the front 17 feet 6 inches; that it is doubtful that with the increased traffic problems presently existing on Atlantic Avenue, that a present-day Board of Standards and Appeals would grant such a use on an interior plot of 70 feet frontage; that the records of the Board reveal that in 1931 many of the surrounding owners consented to the gasoline service station, including the owners directly adjoining to the east and west in block 1435, lots 35 and 40; that these adjoining properties would be benefited by removal of the gasoline service station use; and

WEREAS, the applicant further contends that the premises cannot be economically used for the garage use originally granted by the Board; that the economic status of the community has changed since the building was erected and no longer can support a private garage; that the records of the Department of Buildings and the Board show that these premises have been used for auto repair shop uses since the 1920's; that the proposed auto repair shop use with special emphasis on auto painting is merely a modern day extension of the older repair shop uses; that there are no openings along the rear or side lot line walls, so that there is no adverse effect on these adjoining properties; that it is not proposed to increase or change the curb cuts; that the proposed use is more desirable on these premises than a conforming factory use, which would bring necessary loading and unloading to an extraordinarily heavy traffic avenue; that the proposed use is of the same nature as a conforming use, such as manufacturing of metal products with painting and spraying; and

WEREAS, the applicant states that the present owner has held title to the property since October 31, 1957; that the assessed valuation of land is \$10,500 and of the building \$15,500 making a total of \$26,000; that the building was erected in 1920; and

WEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7i for a term of ten years, to permit the lawfully existing storage garage to be occupied also for motor vehicle repairs, including collision repairs, auto painting and spraying, as proposed and indicated on plans filed with this application, marked "Received December 30, 1957", 4 sheets, *on condition* that the building shall not be increased in height or area; that the building shall comply with all other requirements applicable thereto; that the exhaust stack above the roof for exhausting fumes from the spraying and paint use shall be extended at least ten feet in height so as to be well above the parapet of the adjoining building on Lot 35; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the outside gasoline pumps which have been removed and their tanks sealed shall not be reinstated; and that all permits required and a new Certificate of Occupancy shall be obtained and all work completed within six months from the date of this resolution.

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91-41-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Getty Realty Corporation, owner; Broadcast Associates, lessee of roof space.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the increase in the number of broadcasting stations from one to two stations and extend the term of the variance, previously granted, for a term of five (5) years.

PREMISES AFFECTED—2-6 East 61st Street and 795-798 Fifth Avenue, southeast corner, Block 1375, Lot 67, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended and term extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 17, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; Fifth Avenue and East 61st Street are in residence and restricted retail use, B area, class 1½ height districts; Madison Avenue and East 60th Street are in a restricted retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 2, 1958 acting on amendment to Alt. Applic. No. 1137-41, reads:

"1. Use of top story and roof for a radio television broadcast transmitting station and antenna in a residential use district beyond March 4, 1952 limit granted by Bd. of Standards and Appeals under Cal. No. 91-41-BZ contrary to Sec. 3 Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet 5 inches frontage by 270 feet in depth, presently developed with a 41 story fireproof hotel, radio and television broadcasting transmitting station and a roof antenna; that it is proposed to extend the use to include two broadcasting stations and extend the variance granted under Vol. I, for a temporary period of five years; that the two broadcasting stations in question are known as WBAI-FM and WNCN-FM; and

WHEREAS, the applicant states that the present building was erected under N.B. Applic. No. 71 of 1929; that the building was last altered in 1947 under Alt. Applic. No. 2181-47 and Certificate of Occupancy No. 37580 was issued for use as a hotel; that the present broadcasting antenna and one of the two broadcasting stations were installed under Alt. Applic. No. 1137-41 and Cal. No. 91-41-BZ; that the last two years term of variance granted by the Board for the use of the antenna and one broadcasting station expired April 2, 1948, and the stations and antenna are now being used without a permit, and are illegal; and

WHEREAS, the applicant contends that the maintenance of the present roof antenna and the two broadcasting stations on the same floor with house tank and elevator machine room will not have an adverse effect upon any of the adjoining property owners, inasmuch as there will be no entertainers, actors, speakers, etc. entering the Hotel Pierre premises, and there will be no signs or advertising of any nature to indicate the use of the tower for the purpose herein requested; and

WHEREAS, the applicant states that the present owner has held title to the property since October 21, 1938; that the assessed valuation of land is \$1,550,000 and of the building \$3,600,000 making a total of \$5,150,000; that the building was erected in 1929.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 24, 1941, and as thereafter amended through March 23, 1948, by adding thereto:

"that the premises may be occupied by Broadcast Associates for existing station and additional station both using the same mast, and to permit the use of two stations for an additional term of 5 years from the date of this amended resolution on condition that the general requirements of the resolution stated above shall be complied with, and as shown on plans filed with this application marked, 'Received May 23, 1958,' 8 sheets, and 'September 22, 1958,' 4 sheets; that all permits shall be obtained and all work completed and new certificate of occupancy obtained within six months."

256-45-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Angelo, Sebastiano and Giuseppe Rodolico and Vincenzo Bongiorno, owners; Aluminum Fabricators, Inc., lessee.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired May 13, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a local retail and residence use district, the change in use from garage for more than five (5) motor vehicles, to manufacturing and storage of aluminum building products for a term of ten (10) years.

PREMISES AFFECTED—1736 Pacific Street, south side, 75 feet west of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, on November 13, 1957, this application, Vol. II, was granted by the Board on certain conditions, under Section 7e of the Zoning Resolution, to permit in a local retail and residence use district, the change in use from garage for more than five (5) motor automobiles, to manufacturing and storage of aluminum building products, for a term of ten years—office, garage, auto painting and body and fender repairs, previously granted, having expired—affecting premises 1736 Pacific Street, south side, 75 feet west of Utica Avenue, Block 1342, Lot 40, Borough of Brooklyn; and

WHEREAS, the applicant requested reopening of this application and extension of time to obtain permits and complete the work, which had expired by time limitation; and

WHEREAS, this application was reopened on September 30, 1958 and set for hearing on October 28, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin as notice; and

WHEREAS, the decision of the Borough Superintendent, dated July 30, 1958 acting on Alt. Applic. No. 546-57, reads:

"1. The time limit specified in the resolution of the Board of Standards and Appeals, #256-45-BZ has expired. Therefore—

"The proposed change in use from public garage to

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factory for the manufacturing and storage of aluminum products partly in a local retail and partly in a residence use district is contrary to the Zoning Res. Art. II Sect. 4-c and Sect. 3."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 13, 1945, and as thereafter amended on November 13, 1957, shall be amended only so far as it has reference to obtaining permits, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

1070-47-BZ

APPLICANT—Skyline Collision Inc., lessee, for Josephine Stock, owner.

SUBJECT—Application reopened September 30, 1958 for consideration as to extension of time to complete—expired March 19, 1951 and to obtain Certificate of Occupancy—decision of the Borough Superintendent, previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the change in occupancy from auto body painting, to auto body painting, body and fender repair work and welding and spraying.

PREMISES AFFECTED—389-391 4th Avenue and 266-274 6th Street, southeast corner, Block 993, Lot 7, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Malezynoki.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, on June 8, 1948 this application was granted by the Board on certain conditions, under Section 7c of the Zoning Resolution, to permit in a business use district the change in occupancy from auto body painting, to auto body painting, body and fender repair work, welding and spraying, affecting premises 389-391 Fourth Avenue and 266-274 Sixth Street, southeast corner, Block 993, Lot 7, Borough Brooklyn; and

WHEREAS, the applicant requested reopening of this application and extension of time to obtain permits and complete the work, which had expired by time limitation on March 19, 1951; and

WHEREAS, this application was reopened on September 30, 1958 and set for hearing on October 28, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin as notice; and

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated August 4, 1958 acting on amendment to Alt. Applic. No. 4268-47, reads:

"1. As the time for completion of the work has expired as per Bd. of Standards and Appeals Resolution under Cal. #1070-47-BZ, proposed extension of time is referred to the Bd. of Standards and Appeals for consideration."

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 18, 1948, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution."

286-52-BZ—Vol. II

APPLICANT—Larry Meltzer, for Castdell Realty Corp., and Adelaide Langenakens, owners; Henry and Edward Rosenfeld, lessee.

SUBJECT—Application reopened March 4, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, the combining of two (2) adjoining gasoline service stations and the reconstruction of the accessory building along the rear lot line and to retain the conjunctive uses of lubritorium, office, sale of auto parts and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service.

PREMISES AFFECTED—7202-7206 7th Avenue and 682-690 72nd Street, southwest corner, Block 5911, Lots 43 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 4, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a local retail use, C area, class 1 height district; 72nd Street and Seventh Avenue are in local retail and residence use, C area, class 1 height districts; 73rd Street and Sixth Avenue are in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 15, 1958 acting on Alt. Applic. No. 3888-57, reads:

"1. Proposed reconstruction of the accessory building of the existing gasoline station and the consolidation of the two stations into a single gasoline service station, lubritorium, office, sales of auto parts and to change the occupancy to include minor repairs with hand tools only and parking of cars awaiting service, in a Local Retail Zone, is contrary to Art. II pp. 4-c & 6 of the Zoning Resolution.

Note—Premises were subject of the Bd. of Standards & Appeals Variance under Cal. #286-52-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 64 feet 3¾ inches frontage by 89 feet 8 inches in depth; that this plot lies in block 5911, lot 43, which is the corner lot, and lot 44, which is the interior lot; that on lot 43, a gas station was established under N.B. Applic. No. 6830-23; that Fire Department plans No. 705-23 and No. 744-23 were approved for underground gasoline tanks and Fire Department operating permits were issued August 3, 1923; that on lot 44, a gas station was established under Fire Department Plan No. 1088-24, approved June 20, 1924, which authorized the installation of underground gasoline storage tanks; that in 1932, plans were filed and approved in the Building Department under Permit No. 9115-32, combining the two gas stations and authorizing the construction and use of an accessory building, for which Certificate of Occupancy No. 70741 was issued; that the Board, on July 25, 1952 under Cal. No. 286-52-BZ, granted a variance permitting the separation of the two stations and the reconstruction of the gas station and accessory building on the corner lot—Lot 43—under N.B. Applic. No. 362/52, for which Certificate of Occupancy No. 134834 was issued; that under Alt. Applic. No. 682-57, Certificate of Occupancy No. 157665 was issued for the gas station on lot 44; and

WHEREAS, the applicant states that it is proposed to re-

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construct the accessory buildings along the rear of the plot by constructing a modern extension with face brick, to correspond with the face brick of the newly erected corner building; that it is also proposed to relocate the gasoline pumps and to re-pave the combined station; that this will improve the appearance as well as the function as a modern gasoline service station; that it is also proposed to restore and reconstruct the curb along Seventh Avenue as shown on plans; and

WHEREAS, the applicant further states that Mr. Edward Rosenfeld, who is a long term lessee of lot No. 43, the corner lot, and is a conditional contract purchaser of lot No. 44, the interior lot, proposes to combine the two plots and reconstruct the accessory building as shown on plans marked "Proposed Conditions"; that Mr. Rosenfeld, who has been operating these gas stations since 1946, both combined and separately, now proposes to again operate it as a combined station; and

WHEREAS, the applicant contends that the proposed changes will enhance the appearance of the corner and will not adversely affect the adjoining owners, as the site abuts a factory and sawmill on 72nd Street, and the abutting building on Seventh Avenue has an unpierced wall; that the present owner of lot 44 has found it impossible to successfully operate this interior gas station since the separation into two gas stations, and the erection of the masonry fence wall; that the combining of these two stations would be advantageous to the character of the neighborhood and would improve traffic conditions around the station; and

WHEREAS, the applicant states that the present owners have held title to the property since September 25, 1951 and August 17, 1945; that the assessed valuation of land is \$14,500 and of the buildings \$8,000 making a total of \$22,500; that the buildings were erected in 1932 and 1953; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted to permit the two stations formerly granted by the Board to be consolidated into one station, as proposed.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1952, by adding thereto:

"that in the event it is desired to incorporate this station with the adjoining gasoline station on Lot 44, substantially as proposed and indicated on plans filed with this application, marked 'Received February 5, 1958', 5 sheets, such consolidation may be permitted as indicated on such plans, *on condition* that the accessory building shall be of the design and location shown and in all other respects shall comply with the requirements of the Building Code and shall have no cellar; that there shall be no openings in the rear or side walls of such building at the south, opening upon adjoining properties; that pumps shall be of the low approved type, erected not nearer than 15 feet to the street building line of Seventh Avenue; that the number of gasoline storage tanks shall not exceed the existing six tanks and two additional tanks, all of approved type; that the balance of the premises shall be paved with concrete or asphalt; that sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that curb cuts shall consist of those now existing on Seventh Avenue, one 25 feet in width and one 19 feet in width and two on 72nd Street, one 13 feet wide and one 14 feet wide, except that no curb cut shall be nearer than five feet to a building line as prolonged; that at the intersection there shall be maintained a block of concrete not less than 12 inches in height, extending for not less than 5 feet along each street from the intersection; that signs shall be restricted to permanent signs attached to the facade facing Seventh Avenue and to the illuminated globes of the pumps, excluding all roof signs, temporary signs and advertising devices, but permitting the erection at the intersection of a post standard for supporting a sign,

which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend not more than 4 feet beyond the building line; that where the existing accessory building is removed from the wall of the adjoining building on Lot 46, such wall shall be parged with cement stucco on the exposed wall; and across the rear yard of such lot there shall be erected a masonry wall not less than 6 feet in height extending to the wall of the proposed accessory building; that under Section 7i there may be minor repairing with hand tools only for adjustments, maintained solely in the accessory building; that under Section 7c there may be parking of cars awaiting service; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

625-53-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Vellodrome Gas Station, Inc., owner.

SUBJECT—Application reopened January 29, 1957 as Vol. II—decision of the Borough Superintendent, under Sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred Lama and R. S. Hardy.

For Opposition: Sam Rubin.

ACTION OF BOARD—Application granted on condition.

THE VOTE OF OCTOBER 15, 1958—

Affirmative: Commissioner Kleinert and Commissioner

Foley 2

Negative: Chairman Murdock and Commissioner Sleeper 2

Absent: Vice-Chairman Keating 1

THE VOTE OF OCTOBER 28, 1958—

Affirmative: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 29, 1957 subject to regular procedure, to consider a new proposal and larger area; and

WHEREAS, a public hearing was held on this application on June 25, 1957 after due notice by publication in the Bulletin; laid over, date to be determined; hearing closed; to await trial of two nearby applications subject to writs of certiorari; now set for June 24, 1958; then laid over to July 1, 1958; then to September 17, 1958, for new hearing; applicant to send notices by regular mail; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, for further consideration and decision; laid over for vote of the full Board; date to be set; hearing previously closed; then to October 28, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, McDonald Avenue and Foster Avenue are in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 4, 1956 acting on N.B. Applic. 2086-56, reads:

"1. Proposed gasoline service station, lubritorium, minor auto repairs, car washing, storage, office, parking and storage of motor vehicles in a Business Use District is contrary to Art. II, PP. 4(a) Subsections 29 & 46 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 137 foot 4¼ inch frontage by 104 feet 7¼ inches, irregular in depth, presently developed with a two story frame dwelling having a frontage of 19 feet 11 inches

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and a depth of 43 feet 6 inches; that building department records indicate Alt. Applic. 2969 of 1948 calling for a one family dwelling; that the premises are also occupied by a one story frame office having a frontage of 15 feet 2 inches, a depth of 38 feet 4½ inches, and records indicate Alt. Applic. 5909 of 1926 calling for a "club" use; that the present one car garage erected of concrete blocks, having a frontage of 11 feet ½ inches, a depth of 20 feet 10 inches, was erected under N.B. 136 of 1947; that no certificates of occupancy have been issued for any of the three buildings; that it is proposed to demolish all of the present buildings now on the site and to erect and maintain, for a period of fifteen years, a modern gasoline service station consisting of ten 550 gallon gasoline storage tanks and nine dispensing pumps; that the proposed accessory building of modern design with brick facades will be one story in height of class 3 construction, with a frontage of 70 feet ½ inches, a depth of 30 feet, and will contain the conjunctive uses of car wash, lubritorium, minor auto repairs, office and storage space; that adequate space will be reserved for the parking of cars awaiting service and the parking and storage of motor vehicles; and

WHEREAS, the applicant contends that the highly modern design of the building will help improve the appearance of the community and point the way for future rehabilitation required in this generally run down area; that although McDonald Avenue is zoned for business use, it has not developed along these lines as there are many non-conforming uses in the affected area; that in addition to the non-conforming uses, the railroad in the open cut in block 5457, lot 67 and block 6499, lot 22 and the overhead railroad on McDonald Avenue and the fire house in block 6499, lot 11, certainly are not conducive to business development in the area and on the site in particular; that in addition, McDonald Avenue and Foster Avenue are main auto lanes leading across Brooklyn; that this part of McDonald Avenue will never develop as a shopping center due to the above facts and therefore to develop the site as proposed would be the only feasible development; and

WHEREAS, the applicant states that the present owner has held title to lot 1 since May 13, 1956 and to lot 5 since August 16, 1956; that the assessed valuation of land is \$12,100 and of the building \$3,300 making a total of \$15,400; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this matter was laid over for full vote of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit the premises to be occupied by a gasoline service station and uses legally accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received January 2, 1957," 4 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be constructed and arranged as indicated upon such plans; that the accessory building shall be of the design and arrangement and location as indicated thereon, faced with face brick on the front and on the side to the east; that from the accessory building to the Foster Avenue building line there shall be erected and maintained a woven wire fence of the chain link type on a masonry base to a total height of not less than five feet six inches with suitable masonry terminating post at the building line of Foster Avenue; that a similar fence shall be erected to the west, north and east of the section of the premises at the rear which may be used for the parking of cars awaiting service enterable only through the accessory building; that pumps shall be of a low approved type erected and maintained not less than fifteen feet from the

street building line; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that curb cuts shall be restricted to three curb cuts each thirty feet in width to McDonald Avenue and two each twenty feet in width to Foster Avenue; that sidewalks and curbing abutting the premises on McDonald Avenue and Foster Avenue shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, for a similar term, there may be minor repairs with hand tools only for the adjustments maintained solely within the accessory building; that under Section 7e, for a similar term, there may be parking and storage of motor vehicles providing such parking and storage is maintained where there will be no interference with the servicing of the station; that during the term of this variance the premises shall be occupied for no other use than as herein permitted; that signs shall be restricted to permanent signs attached to the facade of the accessory building facing McDonald Avenue and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection within the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line, at right angles to McDonald Avenue, for a distance of not more than four feet; that under Section 7i for a similar term there may be minor repairing for adjustments with hand tools only, maintained solely in the accessory building; that under 7h for a similar term there may be parking and storage of motor vehicles carried on where such will not interfere with the servicing of the station; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

906-55-BZ

APPLICANT—Simeon Heller, for Louis and Rhoda Appel, owners.

SUBJECT—Application November 14, 1955—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a second floor addition on an existing one story masonry extension to a two-story frame dwelling with less than the required distance from the rear lot line.

PREMISES AFFECTED—33-03 Parsons Boulevard, southeast corner of 33rd Avenue, Block 4982, Lot 16, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George J. Meltzer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 21, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for hearing, applicant to comply with requirements as to notice to owners in area of notification; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 33rd Avenue are in a residence use, G-1 area, class ½ height district; Parsons Boulevard and 145th Street are in a residence use, G-1 and D area, class ½ and class ¾ height district; 34th Avenue is in a residence use, D area, class ¾ height district; that the use and height district designations have remained unchanged since July 25, 1916, but the area district designation was changed from D to G-1 area district on July 20, 1950; and

WHEREAS, the decision of the Borough Superintendent,

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dated October 25, 1955, acting on Alt. Applic. No. 1199-55, reads:

"1. In a G-1 area district no portion of any building may be erected closer than 20 ft. from the rear lot line. Sec. 16C Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 60 feet frontage by 100.04 feet in depth, improved with a two story and attic frame, one family dwelling, erected under the N.B. Applic. No. 1570-16, approximately 44 feet 4 inches wide and 30 feet deep, and a one story masonry extension approximately 22 feet 4 inches by 23 feet 6 inches, for use as a doctor's offices and waiting room, erected under Alt. Applic. No. 331-46; that this last alteration was originally designed to be a two story extension, but due to a lack of funds and shortage of building materials at that time, the second story portion was temporarily omitted; that subsequently the zone was changed from D to G-1, prohibiting any such future work; and

WHEREAS, the applicant states that the premises are owned by a physician and his wife; that they have resided, and the physician has had his offices there, since early 1941; that during these years the doctor's family has increased in size, therefore necessitating the enlarging of the residence portion of this building; and

WHEREAS, the applicant contends that the property is a corner plot; that lot 14 of block 4982, immediately to the south, is deeper than the premises for which this appeal has been made; that lot 18 of block 4982, immediately to the east, faces 33rd Avenue and its rear yard is beyond this property; that it is therefore felt that any problems of light and air caused by this extension would be eliminated by the unusual shape of the adjacent property; that as the new extension is only on the second floor, above a portion of the existing one story extension, and will only project beyond the existing building by four feet, very little of the light and air of the adjoining properties would be cut off; and

WHEREAS, the applicant further contends that the chief problem arises from the fact that the house, instead of being set at 20 feet from the street as required by the most restrictive zoning, is actually set back 50 feet from Parsons Boulevard; with the house toward the rear of the lot and this has created the problem on which this appeal is based; that there is no increase in area of the structure at ground level; that under the zoning law up to 1950, this second story extension was permitted; and

WHEREAS, the applicant states that the present owners have held title to the property since April, 1941; that the assessed valuation of land is \$5,400 and of the building \$11,100 making a total of \$16,500; that the building was erected in 1916; and

WHEREAS, the applicant states that the proposed extension to the second story is to provide an additional bedroom and not a recreation room as stated; that the existing rear garden at grade will not be reduced, and remain as approved under Alt. Application 331-46; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of a Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the extension of the portion of the second floor as proposed and as shown on plans filed with this application marked, "Received November 14, 1955", 1 sheet, "May 16, 1958," 6 sheets, and "September 29, 1958," 1 sheet, *on condition* that the building shall not be further increased in height or area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only as long as this building is occupied as proposed; and that all permits shall be obtained and all work com-

pleted within the requirements of Section 22A of the Zoning Resolution, and a new Certificate of Occupancy obtained.

374-57-BZ

APPLICANT—Roe and Kramer, for Olga B. Nielsen, owner; Research Animals Inc., under contract to purchase.

SUBJECT—Application May 6, 1957—decision of the Borough Superintendent—under section 7c and 7e of the Zoning Resolution to permit in a residence use district, the change in use of an existing building from office, storage of canned goods and three (3) car garage, to office, breeding of animals for research purposes and three (3) car garage.

PREMISES AFFECTED—44-01 52nd Avenue, northeast corner of 44th Street, Block 2533, Lots 40 and 44, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: P. Milchman.

For Opposition: A. Narton.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on May 6, 1958 after due notice by publication in the Bulletin; laid over to May 13, 1958, for applicant to inform the Board of name of tenant and manufacturing use proposed; then to June 10, 1958, at the request of the applicant; then to September 17, 1958, for further hearing; applicant to advise type of occupancy proposed and name of tenant; then to September 30, 1958, for inspection and decision; hearing closed; then to October 15, 1958, to permit inspection of site of present operations in Manhattan at No. 252 West 69th Street, for inspection and decision; then to October 28, 1958, for applicant to submit revised plans; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated September 5, 1958 acting on amendment to Alt. Applic. No. 2738-56, reads:

"1. The proposed change in use from office, storage of canned goods and 3-car garage to office, breeding of animals for research purposes and 3-car garage of a building located in a residence use district is contrary to Art. 2, Sec. 3 of the Z. R."

and

WHEREAS, the applicant states that the premises consist of a plot, 88.03 feet frontage by 83 feet in depth, with a series of buildings thereon as follows: the corner building—a one story brick factory type structure; the building contiguous to it to the east—a one story metal covered factory building; the building contiguous to the last mentioned building—a one story attic frame dwelling; that immediately to the north of the one story, metal covered factory building, is another one story frame factory building; that it is proposed to utilize this site for the breeding of animals for research purposes, which will not be noxious nor destructive of the general tenor of this area; and

WHEREAS, the applicant states that these properties have been in the same ownership for many years past and had been utilized as a manufacturing plant for canned dog foods; that the corner brick building was the main site of the operation and the use thereof was discontinued several years ago due to the physical incapacity of the owner; that the owner is under contract to sell the premises to Research Animals, Inc.; that the purchaser has contracts with the City of New York and with hospitals and other research organizations to supply animals for experimental purposes; that their contract with the City of New York is to supply animals to the City's hospitals for the year 1958-1959; that in addition, practically every private hospital in the Borough

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of Manhattan utilizes the services of the purchaser, together with Fordham, Cornell and Columbia Universities and Veterans Administration hospitals in New York, Maryland and Puerto Rico; and

WHEREAS, the applicant contends that the purchaser is presently occupying premises in the area of Lincoln Square Slum Clearance project and will have to vacate because of same; that it is manifest that there are few places available that are as ideally suited to the purchaser's business as the subject premises; that the use proposed by the purchaser will in no way be noxious nor destructive of the general tenor of this area, and it will certainly be less noxious than the kennels and cannery business that was maintained by the owner for many years; that it would seem in all fairness and equity that the owner should not be required to continue the payment of taxes and carrying charges on a parcel of real estate which is presently deprived of its utility by a zoning regulation which does not take into consideration the highest and best use of the parcel; and

WHEREAS, the applicant states that the present owner has held title to the property since January, 1941; that the assessed valuation of land is \$2,350 and of the buildings \$10,150 making a total of \$12,500; that the buildings were erected in 1942; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and the applicant also filed revised plans showing what was suggested by the Board, but after full discussion the Committee concluded that the application should not be granted; and the Committee also inspected the present location on West 69th Street; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions c and e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 2738-56, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

799-57-BZ

APPLICANT—Leonard F. Rothkrug, for Pauline Farber, owner.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the change in occupancy from dwelling for two families and doctor's office to a dwelling for three families.

PREMISES AFFECTED—1588 Carroll Street, south side, 225 feet west of Schenectady Avenue, Block 1413, Lot 28, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Schenectady Avenue are in a residence use, E-1 area, class 1 height district; Carroll Street and Crown Street are in retail and residence use; E-1 and C area, class 1 height districts; Troy Avenue is in a retail use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated October 29, 1957 acting on Alt. Applic. No. 1181-57, reads:

"1. Proposed change in occupancy from two to three families in building located in an E-1 District is con-

trary to Article IV Section 15A(a) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 127 feet 9 inches in depth, on which is located a two story and basement building, 20 feet 3 inches front by 117 feet 8 inches in depth, irregular in area, erected in 1922 and occupied in 1935 as dwellings for two families and doctor's office; that it is proposed to maintain the change in occupancy to dwellings for three families without further alteration or extension of the building; and

WHEREAS, the applicant states that the subject building was erected under Permit No. 3990-22 as one of a group of ten buildings—Lots 24 through 33—all two family houses, with one family on each floor; that Certificate of Occupancy No. 16052 was issued November 10, 1922 after completion of work; that the subject building was altered under Alt. Applic. No. 6100-35 for occupancy as follows: cellar—ordinary use; first floor—one family and doctor's office; second floor—one family; that the building was occupied by a doctor and two families until about 1941; that the present owner purchased the building on July 26, 1943, at which time it was occupied by three families, substantially as proposed; that the three family occupancy has been registered with the New York City Rent Commission since that period and has been occupied by three families continuously from 1941 to the present date; that the proposed three family occupancy is permitted in a C area district; that this lot was in a C area district in 1943 when the premises was purchased by this owner; that the alteration and change in occupancy from two families and doctor's office to three families was completed prior to the time this owner purchased the premises; and

WHEREAS, the applicant states that the present owner purchased the building without knowledge of the fact that a new Certificate of Occupancy was required; that it appears from the arrangement of the two apartments on the first floor that when the doctor vacated the premises, his offices were converted to an apartment; that if the present owner had been aware that the three family occupancy was not the same as the two family and doctor's office occupancy as permitted under the Certificate of Occupancy, then the three family occupancy could have been legalized without this application to the Board at any time until December 29, 1955; that the area district was changed from C to E-1 on December 29, 1955 and at any time prior to that date the owner could have obtained a new Certificate of Occupancy by merely applying to the Department of Buildings; that however, no violation was ever issued against the building, and the owner had no notice that the occupancy was not as permitted under the Certificate of Occupancy in force; and

WHEREAS, the applicant contends that the records of the Department of Buildings show that the adjoining building, known as 1590 Carroll Street in Block 1413, Lot 28, which was erected at the same time as the subject building, was altered for three family occupancy and Certificate of Occupancy No. 113634 was issued January 25, 1946; that this adjoining building is presently occupied for three families in accordance with the Certificate of Occupancy; and

WHEREAS, the applicant further contends that a grant of the variance will not adversely affect any of the surrounding property owners; that most of these surrounding properties were purchased prior to December 29, 1955 when the area zoning permitted the three family occupancy, and when the subject building and the adjoining building were actually occupied by three families; that the subject premises is unique in that the depth of the lot is greater than the ordinary tax block; that this results from the easement driveway through the center of the tax block and the garages at the rear of the subject lot and the lot abutting to the south; that there will be no external alteration of the building, and no extension of the building, or diminution of existing yards and open spaces; that the building was purchased as a three family dwelling, and it would be an unnecessary hardship to require the alteration of the building

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back to two family and doctor's office occupancy; and

WHEREAS, the applicant states that the present owner has held title to the property since July 26, 1943; that the assessed valuation of land is \$5,500 and of the building \$9,000 making a total of \$14,500; that the building was erected in 1922; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted to permit the occupancy of the building by three families; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, to permit the increase in occupancy of the existing building from two to three families, as proposed and indicated on plans filed with this application, marked "Received November 6, 1957", 3 sheets, and "June 20, 1958", 1 sheet, *on condition* that in all other respects the building and occupancy shall comply with the requirements of the Building Code and the Multiple Dwelling Law and shall not be increased in height or area; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

973-57-BZ

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased.

SUBJECT—Application December 2, 1957—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, motor vehicle repairs of minor adjustment with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-30 to 62-40 60th Street, southwest corner, Block 3492 Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Segal and Herman Rogge.

For Opposition: Charles A. Heeg, Frank Poth and Richard George.

For Administration: John J. Saunders, Bd. of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Klei-
ert and Commissioner Foley 3

Negative: Chairman Murdock and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 1, 1958 after due notice by publication in the Bulletin; and laid over to July 15, 1958, for inspection and decision; hearing closed; then to September 17, 1958, to await action of Local Board on widening of Metropolitan Avenue and extension of Greene Avenue and for decision; then to October 28, 1958, at request of objector, awaiting action of the Local Board; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Greene Avenue are in retail and residence use, C area, class 1 height districts; Metropolitan Avenue and 60th Street are in a retail use, C area, class 1 height district; that as of July 25, 1916 the portion of the property within 100 feet of Metropolitan Avenue was zoned as a business district and the remainder was zoned as a residential district; that the present use district boundaries became effective January 25, 1954; that the property is presently located within the district boundaries of a class 1 height district and a C area district; that the height and area district boundaries have not been changed since July 25, 1916

and no zoning amendment relating to this property is present; and

WHEREAS, the decision of the Borough Superintendent, dated November 7, 1957 acting on N.B. Applic. No. 3329-55, reads:

"2. The erection of a gasoline selling station, lubricatorium, motor vehicle repairs of minor adjustments with hand tools only, automatic auto laundry, simonizing room and parking of vehicles awaiting service on a lot in both a Retail Use District and a Residence Use District is contrary to Art. II Sec. 3 and Art. II Sec. 4-A of Zoning Resolution.

3. The location of a curb cut within 75' of a Residence is contrary to Art. II Sec. 7A of Zoning Resolution.

4. The erection of a ground sign in Residence and Retail zones is contrary to Art. II Sec. 3 and Art. II-4A of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 144.54 feet frontage by 90.83 feet and 144.98 feet in depth; that it is proposed to erect and maintain a new one story, class 3 structure as a gasoline selling and service station, together with an automatic laundry; and

WHEREAS, the applicant states that this parcel originally consisted of tax lots 30, 46 and 47 on the old tax map; that for the purpose of this petition it is necessary to discuss the acquisition of this parcel of land by the late Esther A. Hurwitz, who died in 1954, the present owners acquiring title under her Last Will and Testament which was probated in the County of Queens in said year; that the original parcel consisted of old tax lots 30, 46 and 47 which encompassed all of the present site, in addition to the new tax lot 30 and tax lot 33; that the late Esther A. Hurwitz acquired an undivided one half interest in old tax lot 30 and old tax lot 46 on August 1, 1927 and the other one half interest in said premises on May 1, 1928; that her late husband acquired old lot 47 on August 21, 1932; that he died on August 10, 1945, a resident of Queens County, and on said day title to lot 47 was vested in his widow, the late Esther A. Hurwitz; that thereafter on August 10, 1945 Esther A. Hurwitz became sole owner of old tax lots 30, 46 and 47; that these premises consisted of old law residences which were condemned by the City of New York in 1930 as unsafe and were demolished in that year by Court order; that since 1930, for 27 years, this property has remained vacant and unimproved and unproductive as to income except for a nominal \$60 per year derived from a sign thereon; that the present owners are the Executors and Trustees under the Last Will and Testament of the late Esther A. Hurwitz and they have conveyed a portion of lot 30 to a trucking corporation in May 1956 for truck parking; that as a result of this conveyance, this parcel was assigned new tax lot numbers, leaving the present owners with the ownership of lots 45, 46 and 47, the parcel involved in this application; that the original assessment on the whole parcel was in the sum of \$28,450 and the deceased and her executors have been required to, and have paid taxes for a continual period of 27 years, increasing the cost of this parcel to the owners each year; and

WHEREAS, the applicant further states that the Board of Estimate adopted for inclusion in the City Map on September 1943 under Cal. 19-A the extension of Greene Avenue as laid out on the proposed map #CP2282; that Greene Avenue intersects Forest Avenue at a distance approximately 289 feet from the southeasterly corner of Metropolitan and Forest Avenues; that this proposed extension, which runs to the south side of Metropolitan Avenue and on the westerly side of 60th Street, causes the site of the present owners to be located directly in the bed of the mapped street; that on two occasions, since the Board of Estimate adopted the extension of Greene Avenue in 1943, the Board of Estimate has considered proposals by the Queens Borough President to rescind the mapped change in Greene Avenue, by eliminating the lines of its extension of the City Map; that the first proposal was made by the Queens Borough

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President in 1948 and again for the final time on May 24, 1951; that both of these proposals were disapproved by the Board; that upon the last occasion the City Planning Commission recommended that the Borough President of Queens be requested to initiate a proceeding for acquiring title to the private property required for the extension; that no such condemnation proceedings have ever been initiated and the owners are in possession of a letter from the Borough President of Queens that none is contemplated, nor will any be instituted by the City; that this obviously leaves the owners on the horns of a dilemma, as owners of approximately 16,276 square feet of space fronting on Metropolitan Avenue for which they are required to, and have for the past 27 years paid real estate taxes, with no end in sight to abate the unproductive condition; that to overcome this appalling and burdensome situation, the owners have entered into a conditional contract for the sale of this property, providing a permit can be obtained from this Board for the erection of a gasoline selling station, lubritorium, motor vehicle repairs with hand tools only, an automatic auto laundry, simonizing room and parking for vehicles awaiting service; that this is the first opportunity that the owners have had to negotiate a sale of this property, even on a conditional basis, since 1951; that in that year, a formal option to sell all of the property for a price in excess of the assessed value was entered into and a deposit paid thereunder with the understanding that the option would be taken up if the mapped street were changed; that the option was permitted to lapse when the 1951 proceeding for a change ended in failure; that thereafter, the owners entered into a lease arrangement with Milk-Maid Realty Corporation for a term of years and for which an application was made to this Board for a variance to permit the building of a retail ice cream store in the bed of the mapped street; that this variance was granted under Cal. No. 950-55-A; that unfortunately the lessee breached the lease in that they were unable to carry out the terms thereof, because of internal reasons in their own organization, leaving the original owners right back where they started; that by reason of all the foregoing, the parcel has failed to yield any return to the owners since 1927, with the exception of the \$60 annually for the sign hereinabove mentioned; that this property, although it has been on the market for sale for a great many years, has failed to produce any buyer other than the conditional buyer with whom the owners have made a conditional contract of sale hereinabove mentioned; that the granting of this variance will resolve a most unusual, oppressive and burdensome issue, with benefits to the original owner, the conditional purchaser and The City of New York; and

WHEREAS, the applicant contends that existing conditions fully warrant a granting of a variance; that the site is located along Metropolitan Avenue, which is a heavily travelled thoroughfare; that the owners are unable to find a prospective user of this site for any of the suitable and ordinary uses permitted in a retail district; that the site is located to the north of and contiguous to a truck parking lot running from 60th Street through Forest Avenue consisting of all of lot 30 on the tax map, making the site entirely unattractive for a use other than for which this instant application is being made; that the construction of the proposed gas station will not detract in any way from the aspects of the immediate neighborhood; that this neighborhood appears to have been developed generally with wood frame buildings which were built approximately 60 years ago; that the proposed gas station would be a service to the neighborhood and an additional service for automobile and vehicular traffic along Metropolitan Avenue which is an important artery servicing the Borough of Queens; and

WHEREAS, the applicant states that the present owners have held title to the property since August 1, 1927 and that the assessed valuation of land is \$14,700; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, consideration has been given to the proposed widening of Metropolitan Avenue and the extension of Greene Avenue across the premises and it was learned that

these proposals are not imminent and are dealt with under Calendar Number 950-55-A—Vol. II; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f, for a term of fifteen years, to permit the premises to be occupied as proposed as gasoline service station and lawful uses accessory thereto, substantially as proposed and indicated on plans filed with this application marked, "Received December 2, 1957," 4 sheets, *on condition* that all buildings and uses now on the site shall be removed and the plot shall be leveled substantially to the grade of Metropolitan Avenue and 60th Street, and shall be constructed and arranged as indicated on plans above cited; that the accessory building shall be of the design and arrangement as indicated on such plans; that there shall be erected on the interior lot line to the south where the walls of the proposed automatic laundry do not exist, a masonry wall to a total height of 5 feet, 6 inches, continuously from 60th Street, including such wall of laundry, to the interior lot line; that from the intersection of the rear lot line, with the side lot line to the west, there shall be maintained a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches, with a suitable masonry terminating post at the present building line of Metropolitan Avenue; that otherwise the accessory building and laundry shall comply with the requirements of the Building Code; that there shall be no cellar under such building; that the building shall be faced on all sides with face brick; that pumps shall be of the low approved type, erected not nearer than 15 feet to the street building line of Metropolitan Avenue, where shown; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved gasoline storage tanks; that the balance of the plot, where not occupied by the accessory building and pumps shall be paved with concrete or asphaltic pavement; that the sidewalks and curbs abutting the premises shall be constructed, or repaired to the satisfaction of the Borough President; that entrances and exits shall be by means of curb cuts consisting of two, where shown, each 30 feet in width to Metropolitan Avenue and one of similar width to 60th Street and one opposite the automatic laundry entrance of 15 feet; that signs shall be restricted to the front facade of the building facing Metropolitan Avenue excluding all roof signs, temporary signs and advertising devices, but permitting the erection within the building line at the intersection of Metropolitan Avenue and Sixtieth Street of one post standard for supporting a sign which may advertise only the brand of gasoline on sale and may extend over the building line for a distance of not more than 4 feet; that under Section 7i, for a similar term there may be motor vehicle repairing maintained within the accessory building with hand tools only, for adjustment; that under Section 7e for a similar term there may be parking of motor vehicles on such location on the site as will not interfere with the servicing of the station; that under Section 7A, any signs or curb cuts deemed contrary thereto may be permitted as herein provided; that the space as mapped for proposed widening of Metropolitan Avenue may be used in connection with this building as herein shown, but in the event such portion of the premises is acquired by the City for the widening of Metropolitan Avenue, the compensation shall be as determined by the Court; that at the intersection of 60th Street and also the westerly lot line, there shall be maintained a block of concrete extending for a distance of not less than 5 feet along the building and side lot line, and not less than 12 inches in height; that on such concrete there may also be erected light standards for general illumination; that during the hours when the children are going to and from school, namely, 8:30 a.m. to 9 a.m., 12 noon to 1:00 p.m. and 3:00 p.m. to 3:30 p.m. there shall be an attendant at 60th Street side to warn such children against cars entering or leaving the gasoline service station; that such portable fire-fighting

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appliances shall be maintained as the Fire Commissioner shall require; that during the term of this variance the premises shall be used for no other use than as herein permitted; that in all other respects all laws, rules and regulations applicable thereto shall be complied with other than as modified this day under Cal. No. 950-55-A; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

950-55-A—Vol. II

APPLICANT—Bernard Segal for E. A. Stern, et al., Executors under will of Esther A. Hurwitz, deceased, owner.

SUBJECT—Application reopened January 14, 1958 as Vol. II—filed pursuant to Section 35, of the General City Law re premises in bed of mapped street—proposed widening of Metropolitan Avenue and in the bed of Greene Avenue as proposed.

PREMISES AFFECTED—60-04 Metropolitan Avenue and 62-3J to 62-40 60th Street, southwest corner, Block 3492, Lots 45, 46 and 47, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Bernard Segal and Hermann Rogge.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated November 7, 1957 on amendment to N.B. Applic. 3329/55 reads:

"1. Secure approval of Board of Standards and Appeals for the erection of a structure in the bed of a mapped street.—Art. 3, Sec. 35, General City Law.

Note: Amendment is also contrary to Board of Standards and Appeals Resolution 950-55-A and is referred back to the Board for reconsideration."

and

WHEREAS, the applicant states that the plot is 144.54 feet front on Greene Avenue, 90.83 feet front on 60th Street, located in a retail and residence use, C area, class 1 height district, upon which is proposed to erect a one story building, 14 feet in height, 85 feet by 60 feet in area, and to be used and occupy the premises as a gasoline service station, lubritorium, motor vehicle repair shop, automatic automobile laundry, simonizing and the parking of motor vehicles awaiting service; and

WHEREAS, the applicant contends that the premises have been unimproved and unproductive of any return whatever for more than 17 years, except for a nominal return from a sign lease; that a substantial part of the premises lies within the bed of a mapped street, consisting of an extension of Greene Avenue and also within the map widening of Metropolitan Avenue; that the extension of Greene Avenue was laid out by a map adopted by the Board of Estimate September 9, 1943 and since then the Board of Estimate has considered proposals by the Borough President to rescind this map change and such proposals were disapproved by the Board; that no condemnation proceedings have been initiated and the owners have been advised by the Borough President that none is contemplated nor will any be instituted by the City; and

WHEREAS, the applicant states that under Calendar Number 950-55-A, Volume I, application was brought to the Board for permission to build in the bed of a mapped street and such application was granted June 19, 1956; that the lessee failed to enter into possession and erect the building permitted by the Board; that subsequently the owners entered into a conditional contract and the premises were sold on condition upon an application to the Board for a zoning variance, to permit the erection of gasoline service station, and other accessory uses herein described; and

WHEREAS, the applicant contends that the premises have been in the same interest since 1927 and have been unpro-

ductive since 1930 when the buildings were demolished as unsafe by Court Order; that not only are the premises unproductive but they constitute a continuing tax burden; that the owner has been unable to find a purchaser or lessee who would consummate a transaction while a mapped street remained a bar to the development of the premises; that efforts to have the street opened or abandoned were equally fruitless, since the City Planning Commission had taken the position that this street extension is a needed improvement; and

WHEREAS, the applicant further contends that the proposed use is a reasonable one and will render the property productive and is of such a nature that it will constitute a justifiable additional cost to the City upon condemnation; and

WHEREAS, the premises were inspected by a committee of the Board with Calendar Number 973-57-BZ, which recommended that the appeal be granted under certain conditions; and

WHEREAS, the premises and area were inspected by a committee of the Board; that it was found that the proposals to widen Metropolitan Avenue and extend Greene Avenue are not imminent.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 3329/55, Objection No. 1 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of such portion of the premises as mapped for proposed widening of Metropolitan Avenue, *on condition*, that the requirements in reference thereto in the resolution under Calendar No. 973-57-BZ shall be complied with; that in the event that the premises or any part thereof are acquired by City of New York for widening of Metropolitan Avenue or for the extension of Greene Avenue; that remuneration for such portions of the plot as are so acquired shall be as determined by the Court.

122-58-BZ

APPLICANT—Herman Horowitz, for Berne Realty Corp., owner.

SUBJECT—Application March 11, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with masonry dwellings, the demolition of the buildings and the use of the vacant land for a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—434-444 West 25th Street, south side, 230 feet east of 10th Avenue, Block 722, Lots 58-64, inclusive, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Horowitz.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; West 24th Street and West 25th Street are in residence, business and retail use, B area, class 1½ height districts; Tenth Avenue is in a business use, B area, class 1½ height district; Ninth Avenue is in a retail use, B area, class 1½ height district; that on July 25, 1916 the premises was in an unrestricted use district and was changed to a residence use district on November 13, 1936; and

WHEREAS, the decision of the Borough Superintendent,

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dated February 11, 1958 acting on Alt. Applic. No. 105-58, reads:

"1. Proposed parking lot for more than 5 motor vehicles is not permitted in a residence use district. Art. II, PP. 3 Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 122 feet 2 inches frontage by 98 feet by 9 inches in depth, improved with one 4-story and five 3-story masonry residence buildings, now completely vacant; that all structures are shortly to be demolished; that it is proposed to use the vacant land as a parking lot; and

WHEREAS, the applicant states that it has not yet been determined what type of improvement will be built on the premises and it will be some time before numerous problems confronting the owner, are resolved; that the tenants have been vacated from the premises at considerable cost and now, because of circumstances beyond the owner's control, the building of a suitable improvement has been delayed; and

WHEREAS, the applicant contends that there is an urgent need in this area for facilities for the parking and storage of private automobiles, as the area was developed many years ago before the advent of the automobile; that many of the garages in the area are used exclusively or mainly by commercial vehicles; and

WHEREAS, the applicant states that the present owner has held title to the property since November 5, 1956; that the assessed valuation of land is \$54,500 and of the buildings \$40,500 making a total of \$95,000; that the buildings are being demolished; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7 h for a term of five years, to permit the use of the plot when buildings have been demolished for parking and storage, substantially as proposed and shown on plans filed with this application, marked "Received March 11, 1958", 3 sheets, and "May 12, 1958", 1 sheet, *on condition* that all buildings and uses now on the premises shall be removed and the premises leveled substantially to the grade of West 25 Street, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that on all lot lines there shall be erected a woven wire fence of the chain link type, not less than 5 feet, 6 inches in height on a masonry base with no openings therein except to West 25 Street where the three openings proposed shall be fitted with gates which shall be kept closed when the parking lot is not in operation; that such fences may be omitted where masonry walls of adjoining buildings occur on the lot line; that suitable bumpers shall be maintained at all times for protection of fences and walls; that such parking shall be limited to pleasure cars only; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to one sign attached to the fence adjacent to an entrance, advertising the parking use for pleasure cars only and the rates charged and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet and shall not be illuminated or extend beyond the building line and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

170-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sadie Wugman, owner.

SUBJECT—Application March 27, 1958—decision of the Borough Superintendent, under Sections 7f and 7i of the

Zoning Resolution, to permit in a business use district, on a plot consisting of six lots containing two buildings and a parking lot, after removing the existing uses, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, storage, office and sales with parking and storage of more than five motor vehicles for a temporary term of fifteen (15) years.

PREMISES AFFECTED—583-593 6th Avenue, east side, 93 feet, 8 inches south of 16th Street, Block 1054, Lots 10-15 inclusive, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Sadie Wugman.

For Opposition: Frank Compasto and Michael De Vito.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 6th Avenue and Prospect Avenue are in a business use, C area, class 1 height district; 16th Street and Webster Place are in business and residence use, C area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated March 26, 1958 acting on N.B. Applic. No. 105-58, reads:

"1. Proposed building and premises, in a business use district, to be used for a gasoline service station, lubricatorium, minor auto repairs, car washing, storage office and sales, parking and storage of motor vehicles, is contrary to Art. II P.P. 4a, subsections 29 & 46 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 108 feet 8 inches frontage by 98 feet 11¾ inches in depth, presently developed as follows: lot No. 10—three story building of class 4 construction, 18 feet 4 inches by 35 feet, and now occupied as store and two family; lots 11, 12 and 13—parking and storage of motor vehicles; lot 14—vacant; lot 15—two story and basement of class 4 construction, 18 feet by 36 feet and now occupied as (store—vacant), a two family dwelling; that Department of Buildings records indicate the following: lot No. 10—no record of new building, first alteration number Alt. 7336-1911—use given as storage and two family dwelling; lots 11, 12 and 13—Alt. Applic. No. 5121-54 for use as parking and storage of motor vehicles, for which Certificate of Occupancy No. 144397 was issued; that lot No. 14 is vacant; lot No. 15—no record of new building, first alteration No. 8704 of 1931—use given as store and two family dwelling; that it is proposed to remove all the present uses and buildings on the site and erect a modern gasoline service station, consisting of ten 550 gallon gasoline tanks and four dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, with a frontage of 60 feet, a depth of 30 feet and will contain the conjunctive uses of lubricatorium, minor auto repairs, car wash, storage, office and sales; that a portion of the open site, not being used by the gasoline service station, will be reserved for the parking and storage of motor vehicles; and

WHEREAS, the applicant contends that the site is located in a low rental area; that it is in need of complete rehabilitation and the erection of this modern gasoline station would lead the way to any future new development in this area; that the erection of additional stores in compliance with the zoning law would not be economically sound and would only tend to work a hardship upon present store owners who would be faced with additional competition without the benefit of additional customers, since the entire area is com-

MINUTES

pletely built up; and

WHEREAS, the applicant states that the present owner has held title to the property since November 15, 1955 and December 17, 1957; that the assessed valuation of land is \$12,400 and of the buildings \$8,000 making a total of \$21,000; that the buildings were erected prior to 1911 and 1955; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivisions f and i of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 105-58, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

422-58-BZ

APPLICANT—Leonard F. Rothkrug, for Joseph Katz and Martin Barell, owners; Packers Supermarket, Lessee.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the existing patrons' and employees' parking lot from the business use portion to the residence portion of the plot for a stated term of fifteen (15) years as accessory to a retail supermarket in the business use portion of the plot.

PREMISES AFFECTED—2532-2554 86th Street, south side, from Bay 40th to Bay 41st Streets, 1-11 Bay 40th Street and 2-12 Bay 41st Street, Block 6868, Lots 37, 49, 50 and 51, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Bay 40th Street and Bay 41st Street are in business and residence use, D area, class 1 height districts; 86th Street is in a business use, D area, class 1 height district; Benson Avenue is in a residence use, D area, class 1 height district; that there have been no changes in the height, use or area district designations, and none are pending before the City Planning Commission; and

WHEREAS, the decision of the Borough Superintendent, dated July 1, 1958 acting on Alt. Applic. No. 2237-58, reads:

"1. Proposed extension into a residence district of patron and employee parking lot accessory to supermarket (no fees to be charged) is contrary to Art. 2 Sect. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 193 feet 4 inches frontage by 200 feet in depth, irregular, on which is located a one story building, 112 feet 6 inches by 68 feet one inch, irregular in area, 21 feet in height, erected in 1958, of class 3 construction, as a retail supermarket under N.B. Applic. No. 1756-57 and occupied by Packers Supermarket with free parking for more than five motor vehicles for patrons and employees on the unbuilt upon area of the premises in the business zone in accordance with Certificate of Occupancy No. 161090; that it is proposed to extend the patrons' and employees' parking lot—no fee to be charged—accessory to the supermarket, into the residence use district portion of the plot, now vacant; and

WHEREAS, the applicant states that the existing building

is entirely within the business zone and the plans as approved show that all the loading and unloading is in the business zone; that there are two existing curb cuts for the accessory parking area, one out to 86th Street and the other out to Bay 41st Street; that it is proposed to maintain these curb cuts without adding any within the residence use zone; and

WHEREAS, the applicant contends that the supermarket is located under the elevated structure of the BMT division of the rapid transit system, and the supporting members of this elevated line makes off-site parking difficult; that the supermarket is in a sparsely developed neighborhood and depends on patrons from the Marlboro Houses, and from more distant points; that off-street parking facilities is a necessary and important feature of the supermarket; that there is no other business zoned property within the tax block which can be used for accessory parking; and

WHEREAS, the applicant further contends that a grant of the variance will not adversely affect any surrounding property owners; that there will be no overnight parking and no parking on Sundays or holidays, or at any time after business hours; that existing parking facilities in the business zone satisfies the bulk of off-street parking requirements, but the additional facilities are necessary for infrequent special occasions; and

WHEREAS, the applicant states that the present owners have held title to lot 37 since September 23, 1957 and to lots 49, 50 and 51 since June 11, 1958; that the assessed valuation of land is \$39,800 and of the building \$49,800 making a total of \$89,600; that the building was erected in 1958; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of 15 years to permit the extension of parking lot for patrons and employees only as indicated on plans filed with this application marked, "Received July 15, 1958," 5 sheets, *on condition* that the plot shall be leveled substantially to the grade of Bay 41st Street and shall be surfaced with clean gravel or steam cinders and properly rolled; that there shall be erected on the lot lines, a woven wire fence of the chain link type not less than 5 feet, 6 inches in height. With gates at the entrances where shown on East 106th Street, such entrances shall not exceed 10 feet and curb cuts not exceeding 12 feet; that signs advertising the parking and storage use for patrons and employees may be by means of one sign not over 5 square feet, attached to the fence at each entrance provided they are not illuminated or extend beyond the building line; that during the term of this variance, the premises shall be occupied for no other use except the parking as herein permitted as an extension of the parking in the business district as permitted by the Department of Buildings; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 1:45 P.M.

JOSEPH J. DOYLE, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 28, 1958, 2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

899-47-SA

APPLICANT—Bryant Division of Carrier Corporation, owner.

MINUTES

SUBJECT—Application for reopening and amendment of resolutions as to additional models of Gas-Fired Forced Air Furnaces, namely Model 385—re Bryant Winter Air Conditioner; previously approved.

APPEARANCES—

For Applicant: Donald Ferdon.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioner Kleinert and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Foley 2

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Commissioner Kleinert and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Foley 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 899-47-SA.

Subject: Amendment to resolution as to additional models of Gas Fired Forced Air Furnaces.

Bryant Division of Carrier Corporation, Mineola, New York requested by letter dated April 21, 1958 that the resolution adopted March 13, 1951 and amended through November 3, 1954 under Calendar Number 899-47-SA be amended so as to include the Model 385.

Description

The Model 385 is similar to the Model 304 approved by the Board under Calendar Number 899-47-SA as to control, burners and wiring and differs only in so far as styling.

The sizes and input ratings of the 385 are as follows:

75-385	75,000 Btu/hr.
100-385	100,000 Btu/hr.
125-385	125,000 Btu/hr.
150-385	150,000 Btu/hr.

Recommendation

The Committee on Test recommends that the resolution adopted March 13, 1951 and amended through November 3, 1954 be reopened and amended so as to include the Model 385 in sizes as described above on condition that the requirements of the resolution adopted March 13, 1951 and as amended through November 3, 1954 under Calendar Number 899-47-SA are complied with.

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.

GEORGE F. SKLENARIK,

Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of March 13, 1951 through November 3, 1954 in accordance with the above report.

360-50-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for reopening and amendment of resolution as to additional trade names—re ABC Oil Burner, Model 55J; previously approved and marketed under various trade names.

APPEARANCES—

For Applicant: Raymond Groves.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keat-

ing, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5

Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads.

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 360-50-SA.

Subject: Amendment to resolution as to additional trade names.

Automatic Burner Corp., Chicago, Illinois, requested by letter dated July 23, 1958 that the resolution adopted October 17, 1950 under Calendar Number 360-50-SA be amended so as to permit the approval oil burner to be marketed under an additional trade name.

Recommendation

The Committee on Test recommends that the resolution adopted October 17, 1950 and as amended through July 8, 1958 under Calendar Number 360-50-SA be reopened and amended so as to permit the approved ABC Oil Burner Model 45 to be marketed by the John Woods Company, under the trade name of Fluid Heat Oil Burner Model 45, on condition that the requirements of the resolution adopted October 17, 1950 under Calendar Number 360-50-SA be complied with.

The Committee further recommends that, as York-Shipley Inc., York, Pa. has requested by filing an affidavit, dated June 12, 1956, stating that they have purchased the furnace business and furnace design from Jackson and Church Co., Saginaw, Michigan, the approval granted to Jackson and Church Co. on June 12, 1956 under calendar Number 360-50-SA be transferred to York-Shipley and that the burner may be marketed by York-Shipley as York Oil Burner.

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.

GEORGE F. SKLENARIK,

Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of October 17, 1950 through July 8, 1958 in accordance with the above report.

499-50-SA

APPLICANT—Bryant Manufacturing Company, for Affiliated Gas Equipt., Inc., owner.

SUBJECT—Application for a reopening and amendment of resolution as to new Model designations, namely Model 387—re Bryant Gas-fired Winter Air Conditioner, Model BA 87; previously approved.

APPEARANCES—

For Applicant: Donald Ferdon.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Commissioner Kleinert and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Foley 2

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Commissioner Kleinert and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Foley 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

MINUTES

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 499-50-SA.

Subject: To reopen and amend the resolution as to new model designations.

Bryant Manufacturing Company, Mineola, New York requested by letter dated August 18, 1958 that the resolution adopted April 24, 1951 and amended December 8, 1953 be amended to include new model designations of Bryant Gas Fired Winter Air Conditioners.

Purpose

Gas fired warm air heaters for domestic and commercial installations but not to be installed in garages or places of explosive atmospheres.

Description

The new model 387 gas fired forced air furnaces are similar to the model 317 furnaces previously approved by the Board under Calendar Number 499-50-SA, April 24, 1951 and amended December 8, 1953, with the exception of a newly designed casing.

The model 387 series are available in the following sizes:

Size and Model	Btu per hour Input
75-387	75,000
100-387	100,000
125-387	125,000
150-387	150,000
175-387	175,000
200-387	200,000
250-387	250,000
300-387	300,000
350-387	350,000
400-387	400,000

Recommendation

The Committee on Test recommends that the resolution adopted April 24, 1951 and amended December 8, 1953 under Calendar Number 499-50-SA be reopened and amended so as to include new models of Bryant Gas Fired Winter Air Conditioners so that the model recommended for approval including those models previously approved shall be as follows: 60-BA-87, 85-BA-87, 100-BA-87, 125-BA-87, 170-BA-87, 200-BA-87, 250-BA-87, 75-317, 100-317, 125-317, 150-317, 200-317, 250-317, 300-317, 75-387, 100-387, 125-387, 150-387, 175-387, 200-387, 250-387, 300-387, 350-387, 400-387, on condition that these units shall be installed in accordance with the requirements of Article 12, Administrative Building Code, but not to be installed in garages or places where there may be explosive atmospheres; and that each unit bears a label reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 499-50-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of April 24, 1951 through December 8, 1953 in accordance with the above report.

350-51-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re ABC Oil Burner, Model 40, Thatcher Furnace Co. under name of Thatcher Oil Burner, Models 751-1, 751-2 and 751-3, Mt. Hawley Div. 1 of Bryant Mfg. Co.—Mt. Hawley Div. Model 40 Oil Burner; previously approved.

APPEARANCES—

For Applicant: Raymond P. Groves.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 350-51-SA

Subject: Amendment to resolution as to marketing under additional trade name.

Automatic Burner Corp., Chicago, Illinois, requested by letter dated July 23, 1958 that the resolution adopted December 4, 1951 and amended through May 20, 1958 under Calendar Number 350-51-SA be amended so as to permit the approved oil burner to be marketed under an additional trade name.

Recommendation

The Committee on Test recommends that the resolution adopted December 4, 1951 and amended through May 20, 1958 under Calendar Number 350-51-SA be reopened and amended so as to permit the approved ABC Oil Burner Model 40, to be marketed by the John Wood Co., under the trade name of Fluid Heat Oil Burner Model 40, on condition that the requirements of the resolution adopted December 4, 1951 under Calendar Number 350-51-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved that the Board of Standards and Appeals does hereby amend the resolution of December 4, 1951 through May 20, 1958 in accordance with the above report.

489-54-SA

APPLICANT—Delco Appliance Div. of General Motors Corporation, owner.

SUBJECT—Application for a reopening and amendment of resolution as to marketing under additional trade name—re Models ROH-200, ROH-300 and Petroleum Heat & Power Co., Inc., under Petroleum Heat & Power Co., Models D-2 and D-3, Delco Pressure Atomizing Oil Burner, previously approved and marketed under various trade names.

APPEARANCES—

For Applicant: E. N. Pease.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 489-54-SA

Subject: Amendment to resolution as to marketing under additional trade name.

MINUTES

Delco Appliance Division General Motors Corp., requested by letter dated June 12, 1958 that the resolution adopted September 25, 1956 under Calendar Number 489-54-SA be amended so as to permit the marketing of the approved oil burner, model H-200 to be marketed under an additional trade name.

Recommendation

The Committee on Test recommends that the resolution adopted September 25, 1956 and amended through July 8, 1958 under Calendar Number 489-54-SA be reopened and amended so as to permit the approved Delco Oil Burner, Model H-200 to be marketed by the Embassy Steel Products, Inc., under the trade name Embassy E-100 Oil Burner on condition that the requirements of the resolution adopted September 25, 1956 under Calendar Number 489-54-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director
JOHN A. DARTS,
Assistant Engineer
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of September 25, 1956 through July 8, 1958 in accordance with the above report.

667-54-SA

APPLICANT—Berger Furnace Division of Burnham Corporation, owner.

SUBJECT—Application for reopening and amendment of resolution as to change of ownership—re Berger Gas-fired Warm Air Furnace (various models); previously approved.

APPEARANCES—

For Applicant: W. H. Samson.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 667-54-SA

Subject: Amendment to resolution as to change of ownership.

Burnham Corp., Irvington, New York, requested by filing an affidavit dated July 15, 1958 that the resolution adopted July 10, 1956 and amended May 28, 1957 under Calendar Number 667-54-SA be amended so as to show a change of ownership.

Recommendation

On the basis of the affidavit filed by the Burnham Corp. which states that the Burnham Corp. has taken over all assets of the Berger Furnace Corp. The Committee on Test recommends that the resolution adopted July 10, 1956 and as amended May 28, 1957, under Calendar Number 667-54-SA be reopened and amended so as to show a change of ownership, now known as Berger Furnace Division of Burnham Corp. and further that the approved gas fired warm air furnaces may be marketed under the additional trade name of Burnham, on condition that the requirements of the

resolution adopted July 10, 1956 under Calendar Number 667-54-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of July 10, 1956 and May 28, 1957 in accordance with the above report.

720-56-SA

APPLICANT—Burnham Corporation, Boiler Division, owner.

SUBJECT—Application for a reopening and amendment of resolution as to additional model of gas boiler "Holiday 70"—re Holiday No. 60 Gas Boiler, Models 4-60, 5-60, 6-60, 7-60, 8-60, 10-60 and 12-60; previously approved.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 720-56-SA

Subject: Amendment to resolution as to additional model of gas boiler.

Burnham Corporation, Irvington, New York, requested by filing an application dated June 30, 1958 that the resolution adopted April 2, 1957 under Calendar Number 720-56-SA be amended so as to include an additional model of gas fired boiler.

Description

The requested Model Holiday No. 70 is similar to the Model Holiday No. 60 approved April 2, 1957 except as to size and BTU input, in all other respects the units are similar.

Recommendation

The Committee on Test recommends that the resolution adopted April 2, 1957 under Calendar Number 720-56-SA be reopened and amended so as to include the additional Model Holiday 70 gas fired boiler on condition that the requirements of the resolution adopted April 2, 1957 under Calendar Number 720-56-SA are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 2, 1957 in accordance with the above report.

176-58-SM

APPLICANT—Temp-Resisto Drapery Corporation, owner.

SUBJECT—Application November 7, 1957—Temp-Resisto Drapery Lining, approval of.

MINUTES

APPEARANCES—

For Applicant: Murray S. Kaplan.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 176-58-SM

Subject: Temp-Resisto Drapery Lining.

Temp-Resisto Drapery Corp., 209 West 38th Street, New York, filed November 7, 1957 an application with the Board of Standards and Appeals for approval of the material known as Temp-Resisto Drapery Lining under the provisions of the Flame Proofing Rules of the Board.

Purpose

The material is to be used as a drapery lining for flame-proofed or incombustible draperies in places of public assembly.

Description

The material is cotton sateen 64 x 104, dyed and coated with aluminum in lacquer. The coating compound is treated with Tricresyl phosphate and Antimony Oxide and is made in three colors, black, silver and gold.

Inspection and Test

Samples of the fabric were flame tested at the Better Fabrics Testing Bureau in the presence of Assistant Engineer J. A. Darts, Committee on Test.

The test was in accordance with the Flame-proofing Rules of the Board.

There was no flashing, flaming or glow outside the charred area in the samples tested.

Recommendation

On the basis of the inspection and test of the data filed by the applicant, the Committee on Test recommends the approval of Temp-Resisto Drapery Lining as meeting the requirements of the Flame-proofing Rules of the Board.

Tests for each specific installation or any retests thereof shall be made by the Fire Commissioner in a laboratory approved by him in accordance with the requirements of the Rules for Test of Fire Resistive, Flameproof Materials.

The Committee further recommends that each bolt of this material or container in which it is to be marketed shall be marked or labeled "Approved by the Board of Standards and Appeals for use in New York City, under Calendar Number 176-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

773-57-A

APPLICANT—H. E. Horwood for Dwight C. Harris, Rex Perpall and Lita Harris, owners.

SUBJECT—Application October 30, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction, factory, egress, etc.

PREMISES AFFECTED—196-198 Chambers Street, south side, 96 feet, 6 inches east of West Street, Block 138, Lot 34, Borough of Manhattan.

APPEARANCES—

For Applicant: H. E. Horwood.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 15, 1957 on Alt. Applic. 1204/57 reads:

"1. Proposed factory in a 5 story & balcony class III bldg. not permitted—Sec. 270 LL.

"2. Proposed factory with one interior enclosed stair and one F. E. in a 5 story & balcony building not permitted. Sec. 270 LL."

and

WHEREAS, the applicant states that the building is 5 stories, 63 feet in height, 48 feet 10 inches front by 84 feet 2 inches in depth at 1st floor, 48 feet 10 inches front by 78 feet 2 inches in depth at typical floor, of class 3 construction, erected prior to 1914, located in an unrestricted use A area, class 2 height district and used and occupied since October 19, 1953 as follows: Cellar—vacant; 1st floor—vacant; 2nd floor—printing, 3 persons; 3rd floor—manufacturing printer's dies, 2 persons; 4th floor—paper ruling, 2 persons; 5th floor and balcony—vacant; that it is proposed to be used without change, except on the first floor where the prospective tenant will engage in die cutting, mainly on leather belts and on the 5th floor and balcony, which will be used for factory use, using no combustible or inflammable material and the occupancy increased on the 1st floor will be 5 persons and the 2nd to the 5th floors inclusive will be 20 persons per floor; that the building is provided with one interior 44 inch wide stairs of steel with cement threads, brick enclosed, equipped with fireproof self-closing doors and extending from roof bulkhead direct to street and one fire escape on the front extending to roof by ladder and to street by ladder, window and doors on the course of the fire escape are fireproof self-closing; and

WHEREAS, Violation #3995/57 was issued for changing the occupancy to factory without obtaining a certificate of occupancy; and

WHEREAS, the records of the Department of Buildings indicate that the building was altered in 1914, but does not disclose the date of erection; and

WHEREAS, the applicant states that the means of egress consist of a brick enclosed 44 inch stairway from cellar to roof bulkhead; that there is a 60 degree fire escape at the front with fireproof self-closing windows and casement door on each floor and a sliding drop-ladder leading to opening in metal canopy for egress to street; that it is proposed to replace the sliding drop-ladder with a regulation counter-balanced stairway to the street through an enlarged opening in the sidewalk shed; and

WHEREAS, the applicant contends as to Objection 1 issued by the Borough Superintendent, that it is impossible to comply with this requirement; and contends as to Objection 2 that the erection of an additional fireproof enclosed stairway is impossible due to the small area of the building which is only about 2500 square feet; and

WHEREAS, the applicant contends that changing conditions in this area make it exceedingly difficult to rent above the 1st floor for other than factory use; that since the building is only 1 story over the permitted height for non-fireproof construction, it is requested that the objection of the Borough Superintendent be waived as to construction; that the present fire escape be accepted as a second means of egress on condition the counter-balance stairway be provided from the lowest balcony to the street; that the occupancy of the building shall not exceed 20 persons on any floor above the 1st floor; that the existing fireproof window on the 2nd floor fire escape balcony be changed to a 2 by 6 fireproof self-closing casement door; and

WHEREAS, the applicant states that the 2nd, 3rd, and 4th floors are heated by gas fired unit heaters; and

WHEREAS, this appeal was withdrawn on May 6, 1958,

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with permission of the Board to permit the applicant to correct unfavorable conditions; and

WHEREAS, this appeal was restored to the calendar September 23, 1958, upon the applicant's statement that the conditions found by the Board on inspection of the premises have been corrected by the removal of rubbish and also the removal of the tenant storing wood crates in the store; that it is therefore requested that the Board act favorably on this appeal with the understanding that the 1st story store space will be rented only for a non-hazardous use as proposed; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions, as the housekeeping conditions were found to be improved.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 1204/57, Objections No. 1 and 2 and that the appeal be and it hereby is *granted*, to permit the use of the premises as proposed and shown on plans filed with this appeal marked "Received March 19, 1958", 4 sheets, on condition that the primary and secondary means of exit shall be maintained as proposed and shown thereon; that the means of escape from the front fire escape shall be by means of a counterbalanced stairway to the street through sufficient opening in the canopy to permit free use and proper headroom; that the building shall not be increased in height or area; that the occupancy of the entire building shall not be greater than as proposed; and that in all other respects, all laws, rules and regulations applicable thereto shall be complied with.

58-58-A

APPLICANT—James E. Casale, for Louis and Mildred Robbins, owners; American Friends of the Middle East, Inc., lessee.

SUBJECT—Application February 17, 1958—Appeal from a decision of the Borough Superintendent, re Class III construction—commercial use and exits.

PREMISES AFFECTED—47 East 67th Street, north side, 120 feet west of Park Avenue, Block 1382, Lot 31, Borough of Manhattan.

APPEARANCES—

For Applicant: Alvin F. Gunther.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated January 28, 1958 on Alt. Applic. 1607/57, reads:

"1. Proposed commercial use of a 5 story class 3 building exceeds tabular limits of Sec. C26-254.0.

"2. Provide two hour stair enclosure in accordance with Sec. C26-292.0.

"3. Elevator, toilet and closet openings upon stair enclosure are contrary to C26-292.0."

and

WHEREAS, the applicant states the premises consist of a lot 20 feet by 100 feet, located in residence use, B area, class 1½ height district, upon which there exists a 5 story, 55 feet high, class 3 building, 20 feet by 97 feet 5 inches, erected in 1878, as a one family dwelling, converted to class "B" Multiple Dwelling under Alt. Applic. 52/45 for which Certificate of Occupancy #31040 was issued; that the building is now occupied as an office building by American Friends of the Middle East for which Occupancy Violation #18411/57 was issued under Section 300 of the Multiple Dwelling Law; that the present owner Isadore Robbins was found guilty and fined \$25 on January 8, 1958, in Magistrate Court; and

WHEREAS, the proposed use is by the "American Friends of the Middle East", an educational and cultural, non-profit organization for their offices with Occupancy of 10 persons per floor; and

WHEREAS, the applicant states that the exits consist of a 3 foot 6 inch wide wood stairs from 1st to 4th floors and 3 foot wide wood stairs from 4th floor to roof; that the stair enclosure is of wood studs, rocklath and plaster; that the enclosure has fire stops and all stair overlaps are protected with 1-hour construction; that the entire stair enclosure is protected by a sprinkler system in accordance with Section 187 of the Multiple Dwelling Law; that all doors to stair enclosure will be fireproof self-closing; that the elevator shaft is of masonry construction with metal covered hardwood self-closing doors; that all other openings on the stair enclosure will be provided with fireproof self-closing doors; and

WHEREAS, the applicant states that the occupancy is non-hazardous; that there will be no inflammable materials stored on the premises; that the steam is purchased from New York Steam Corporation; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated January 28, 1958, acting on Alt. Applic. 1607/57, Objections 1, 2 and 3 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the occupancy of the building as proposed for American Friends of the Middle East as indicated on plans filed with this Appeal marked, "Received February 17, 1958," 10 sheets, on condition that the building shall be maintained as proposed and indicated on plans; that the sprinkler system in the main stairway installed under the requirements of 187 of the Multiple Dwelling, when the building was used as Multiple Dwelling, shall be maintained; and that the building shall not be increased in height or area and shall in all other respects comply with all laws, rules, and regulations applicable thereto.

370-58-A

APPLICANT—Lama, Proskauer and Prober, for Gur Aryeh Preparatory School, owner.

SUBJECT—Appeal filed June 11, 1958 from a decision of the Borough Superintendent, re exits and construction.

PREMISES AFFECTED—1122 East 21st Street and 2021-2025 Avenue J, northwest corner, Block 7584, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Alfred M. Lama.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and

Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 10, 1958 on Alt. Applic. 172/58, reads:

"1. Provide two 3'8" stairways, remote from each other, enclosed in 3 hour fireproof partitions leading in continuous enclosure from top story directly to street. 6.1.2.2.3, 6.4.16, 6.4.18.1, 6.4.1.11.

"2. The exit doors from the first floor should swing in the direction of egress and be at least 3'0" wide.

"All doors leading into stair enclosure should swing in the direction of egress. 6.2.1, 6.2.2.

"3. Toilets on second floor opening into stair enclosure are contrary to 6.4.1.8.2.

"4. In a class 3 structure, 2 stories and attic in height, the change in use to public building and the use of the attic (frame) for caretakers apartment is contrary to 4.2.1. of A.C.

"5. Floors used for school purposes (with fixed seats) should be good for a live load of 60# per square foot.

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Corridors should be good for a live load of 100# per square foot. 7.3.2.2.3.

"6. The ceilings of the first and second floors should be fire retarded with material of 1 hour fire resistive rating as required by 10.11(c)." and

WHEREAS, the applicant states that the premises consist of a lot 50 feet by 100 feet, located in residence use, G-1 area, class 1¼ height district, upon which there exists a 2 story and attic, 29 feet 2 inches high, class 3 constructed building (except for framed attic), 27 feet 6 inches by 81 feet 4 inches on the 1st floor and 27 feet 6 inches by 45 feet on the 2nd floor, erected 1922, was used and occupied as a one family dwelling for which a Certificate of Occupancy #22236 was issued against N.B. Applic. 9161/22; and

WHEREAS, the applicant states that the building is now used and occupied; Cellar—ordinary, no persons; 1st floor—class rooms, lecture room, daily prayer room, office, kitchen and two car garage, 45 persons; 2nd floor—class rooms and laboratory, 45 persons; attic—caretaker's apartment; that the applicant proposes to legalize the existing use; and

WHEREAS, the applicant states that the building is now provided with one 3 foot wide wood stair from attic to 1st floor hall; that this stair is enclosed in wood stud, wood lath and plaster partitions; that the ceiling of the 1st and 2nd floors are of wood lath and plaster; and

WHEREAS, the applicant proposes to provide new flush hardwood doors in stair and public halls enclosure; that sprinkler system connected to domestic water supply system, will be provided in this stairhall on attic, 2nd and 1st floors; that the cellar ceiling will be protected with rock lath and plaster; that cellar partitions will be of 4 inch cinder blocks; that a new exterior fire stair will be provided at the north end of the building; and

WHEREAS, the applicant further states that the two classrooms on the 1st floor will have one 3 foot door each, leading directly to the street; that the kitchen door swings in the direction of egress; that the cellar and office doors do not swing in direction of egress; that the 2nd floor toilet doors opening into stair enclosure will be provided with a hardwood door; that the main doors will be rehung to swing out; that a floor load of 40 lbs. will be posted; and

WHEREAS, the applicant contends that the occupancy is not hazardous; that the exits are adequate; that the loading will never exceed 40 lbs. per square foot; that in view of the foregoing facts the Board is requested to grant the proposed use.

Resolved, that the decision of the Borough Superintendent, dated June 10, 1958, acting on Alt. App. 172-58 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that an additional exterior stair shall be constructed connecting with the dormer window in the attic and with the second floor on the opposite end of the building from the end where the new stairway is proposed; that such additional stairway may exit on the sun parlor roof with a steel stairway to grade; that all exit doors in the first floor shall swing in the direction of exit as shown on proposed plans; that all doors leading into the stair enclosure shall swing in the direction of exit; that the toilets on the second floor opening to the stair enclosure may be continued; that the third story attic room may be occupied for caretaker's chamber, as shown, provided the attic is used for no other purpose and is provided with a second means of exit as hereinbefore required; that the entrance to the main stair shall have a vestibule and door; that the floor used for school purposes shall have fixed seats and shall be good for a loading of not less than forty pounds per superficial foot and such loading shall be posted; that the ceilings of the first and second floors shall be fire retarded with one-hour fire retarded construction; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and shall not be increased in height or area; that the main stairhall throughout shall be sprinklered as required for multiple

dwellings; as proposed and as indicated on plans marked "Received June 11, 1958", 11 sheets.

552-37-A—Vol. IV

APPLICANT—Wechsler and Schimenti, for Russell B. Booth, owner.

SUBJECT—Application for consideration—restoration to docket—re Appeal from a decision of the Borough Superintendent—re increase in occupancy; previously dismissed.

PREMISES AFFECTED—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Peter F. Licori.

ACTION OF BOARD: Appeal reopened and restored to the docket having been previously dismissed for lack of prosecution on November 27, 1957.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

974-47-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for Felix Felipe & Maria Cruz, owners.

SUBJECT—Application for consideration—reopening as Vol. II to consider a new use—re Appeal from a decision of the Borough Superintendent; previously denied.

PREMISES AFFECTED—454 Lafayette Avenue, south side, 58 feet 4 inches east of Franklin Avenue, Block 1950, Lot 10, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal reopened as Vol. II to consider new use.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.

SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquified Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to November 5, 1958, at 2 P. M. at the request of the examiner.

213-58-A

APPLICANT—Lama, Proskauer and Prober, for Barney Tall, owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re frame building—public occupancy, egress, live load.

PREMISES AFFECTED—595 Saratoga Avenue, east side, 56 feet, 5½ inches north of Sutter Avenue, Block 3515, Lot 74, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Alfred M. Lama.

ACTION OF BOARD—Laid over to November 5, 1958, at 2 P.M. applicant to report as to floor load; hearing closed.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.

SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.

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PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, east of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy Jr.

ACTION OF BOARD—Laid over to November 18, 1958, at 2 P.M. for inspection and decision; hearing closed.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commissioner re use of Beltran Drying Oven.

PREMISES AFFECTED—62-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

APPEARANCES—

For Applicant: Bruce C. Spatcher and Eli Goldstein.

ACTION OF BOARD—Laid over to November 25, 1958, at 2 P.M., for further consideration after the Beltram Associates have applied for an amendment to Cal. No. 650-52-SA under which this oven was approved to permit such oven to be used for drying the material as proposed.

517-30-BZ—Vol. III

APPLICANT—Robert Gottlieb, for 1385 Parking Corp., Payton and Gladys Patterson, Braulio Vigo, Petra A. Morales, Arnydia Greene and Wilnot Dore, owners; 1385 Parking Corp., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles of the pleasure type for a stated term of five (5) years.

PREMISES AFFECTED—1385 Franklin Avenue, west side, 113.19 feet south of East 170th Street, Block 2931, Lots 50, 54, 55, 63, 64, 66, 124, and 125, Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Zlochower.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III, on October 22, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 22, 1957 by adding thereto:

"that in the event the owner desires to maintain a shelter and office for the attendant such office building may be permitted, of frame, *provided* the location is near the entrance at Franklin Avenue and does not exceed one story in height and one hundred square feet in area, located where shown on revised plans marked 'Received September 30, 1958', one sheet, as passed on by the Borough Superintendent under date of September 11, 1958 under Building Notice 664/58."

282-35-BZ—Vol. III

APPLICANT—Paul Friedman, for Bay Parkway Holding Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance, which has expired Oct. 20, 1958—re Application, decision of Borough Superintendent;

previously granted on condition, under section 7f of Zoning Resolution, permitting in a business use district, for a term of five years, the conversion of occupancy of the use of the premises as office, lubritorium, five-car garage and auto laundry to office, lubritorium, auto laundry and gasoline service station.

PREMISES AFFECTED—1159-1167 Utica Avenue and 5002-5010 Clarendon Road, southeast corner, Block 4771, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III, on October 20, 1953, on certain conditions; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 28, 1943, as thereafter amended by resolutions adopted through October 20, 1953, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read: .

"... granted under Section 7, Subdivision f for a term of 5 years from the date of this *amended* resolution,; and to permit under Section 7A continuance of existing curb cuts, signs and show window; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 776/43)

107-42-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Socony-Vacuum Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of an existing gasoline service station in proximity to a playground.

PREMISES AFFECTED—401-415 Dahill Road and 2-12 Cortelyou Road, southeast corner, Block 5384, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Alfred M. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on January 29, 1946, on certain conditions; and

WHEREAS, the resolution was amended on October 9, 1956; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on October 22, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 29, 1946, as thereafter *amended* by resolutions adopted through October

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22, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings and work is about to commence, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution," (N.B. App. 111/44 and Alt. App. 1098/56).

781-45-BZ

APPLICANT—Lama, Proskauer and Prober, for John Op'ande, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired October 8, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district, the extension and reconstruction of an existing gasoline service station, auto repair shop and auto showroom.

PREMISES AFFECTED—115-06 to 115-18 101st Avenue and 101-02 to 101-08 116th Street, southwest corner, Block 9433, Lots 3 and 5, Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 21, 1946, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on October 8, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 21, 1946 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 1407/45).

300-48-BZ

APPLICANT—Ribelle V. Perotto, for Mario Pulese, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f, and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, auto laundry and motor vehicle repair shop on the same lot as existing one family frame dwelling and four-car concrete block garage.

PREMISES AFFECTED—8501-8507 Flatlands Avenue and 765-775 East 85th Street, northeast corner, Block 8006, Lots 7 and 9, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Alfred M. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 13, 1948, on certain conditions; and

WHEREAS, the resolution was amended from time to time and last amended on May 29, 1951; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 13, 1948, as thereafter *amended* by resolutions adopted through May 29, 1951, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivisions f and i for a term of ten (10) years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within three months from the date of this *amended* resolution." (Alt. App. 237/48 Misc. App. 4409/49)

250-51-BZ

APPLICANT—Carl H. Salminen for Otto and Erna May, owners; Mac Grotty Chevrolet, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence and local use district, a used car lot in the local retail use district portion of the lot.

PREMISES AFFECTED—155-05 Northern Boulevard, northeast corner of 155th Street, Block 5271, Lot 7, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salminen.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 15, 1952, on certain conditions; and

WHEREAS, the resolution was amended on February 26, 1952; and

WHEREAS, the term of variance was extended on January 8, 1957; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 15, 1952, as thereafter *amended* by resolutions adopted through January 18, 1957, by adding thereto:

"that there may be installed near the building line within the premises a post standard reading, OK, as indicated on plans marked 'Received September 29, 1958', 2 sheets, and as passed on by the Borough Superintendent under Electric Sign Application 352/58, Objection No. 1, denied on September 4, 1958; that signs shall not extend beyond the building line; and that in all other respects the resolution above cited shall be complied with where not inconsistent with this resolution."

581-52-BZ

APPLICANT—Bellerose Jewish Center, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the

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Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, to permit in a residence use, G1 area district, the erection and maintenance of a building (Jewish Community Center) using more than the area permitted and nearer to the rear lot line than is permitted and without the required set-backs and without the required side yards.

PREMISES AFFECTED—254-04 to 254-14 Union Turnpike, southeast corner of 254th Street and 79-16 255th Street, west side, 123.61 feet south of Union Turnpike, Block 8691, Lots 6, 11, 12 and 16, Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Daniel Schwartzman.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 16, 1952, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time to complete.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 16, 1952, by adding thereto:

"that in view of the requirement that plans shall be filed as to the encroachment of the front yard along Union Turnpike, the plans as submitted marked 'Received October 8, 1958', 10 sheets, as passed on by the Borough Superintendent under Alt. Applic. 1874/58, Objection No. 1, denied on October 3, 1958, may be accepted as meeting the requirements of this portion of the resolution; and that all permits required shall be obtained and all work completed within the requirements of Section 22A from the date of this *amended* resolution." (NB 3492/52 and Alt. 1874/58).

94-53-BZ

APPLICANT—Lama, Proskauer & Prober, for Socony Vacuum Oil Co. and Margaret C. Carey, owners; Socony Vacuum Oil Co., lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance, which expires November 4, 1958, re Application, decision of Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a residence and business use district, the reconstruction and extension of an existing gasoline service station to include gasoline service station, lubratorium, auto washing, motor vehicle repairs, storage and sale of accessories, office and utility room; and permitting the parking and storage of more than five motor vehicles on unbuilt portion of lot.

PREMISES AFFECTED—69-14 80th Street and 79-75 69th Road, northwest corner, Block 3800, Lot 44, Middle Village, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 28, 1953, on certain conditions; and

WHEREAS, working drawings, submitted as being in substantial compliance with the Board's resolution, were approved on November 4, 1953; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 28, 1953, as thereafter *amended* by resolution adopted on November 4, 1953, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of 5 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within three months from the date of this *amended* resolution." (N.B. 7230/52; CO Q999/55).

788-55-BZ

APPLICANT—Haus and Bresin, for Henry Silberlicht, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 25, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, a motor vehicle repair shop and parking and storage of more than five motor vehicles, for a term of 15 years.

PREMISES AFFECTED—150-47 12th Road, north side, 100.50 feet west of Clintonville Street, Block 4517, Lot 41, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 5, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on June 25, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 5, 1956 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 3241/55).

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788-57-BZ

APPLICANT—Burke, Green and Groh, for Fitchett Crescent Corp. and Catherine DuMelle, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a retail and residence use district, the erection of a one story building for occupancy as a storage garage, motor vehicle repair shop, installation of 5 gasoline storage tanks and two pumps and the parking of employees' cars on the unbuilt upon portion of the plot.

PREMISES AFFECTED—46-45 Kissena Boulevard, northeast corner of Laburnam Avenue, Block 5208, Lots 32 and 42, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Jean Kennedy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 6, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 6, 1958, by adding thereto:

"that in the event the owner desires to change the roof construction of the accessory building and to change the number of gasoline storage tanks from five to eight and to change the location of the curb cut on Laburnam Avenue, as shown on plans filed with this request for amendment, marked "Received September 22, 1958," 4 sheets, and as passed on by the Borough Superintendent under amendment to N.B. 2614/1957, under date of October 28, 1958, such changes may be permitted, *on condition* that in all other respects the requirements of the resolution above cited shall be complied with where not inconsistent with this amended resolution; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."

964-57-BZ

APPLICANT—Samuel Rosenblum, for International Business Machines Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use district, the change of occupancy of the present three story building from garage on the first floor and two apartments on the upper floors to a photographic studio in the cellar and first floor with no changes on the upper floors.

PREMISES AFFECTED—117 East 83rd Street, north side, 185 feet, 6 $\frac{2}{3}$ inches east of Park Avenue, Block 1512, Lot 9, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Paul Himmel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 8, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 8, 1958 by adding thereto:

"that the existing curb cut which was used when the building was formerly a garage may be continued *on condition* that such curb cut shall not exceed twelve feet; and that a proper permit shall be obtained for such use." (Alt. 1694/57).

223-31-BZ—Vol. II

APPLICANT—Patrick D. Concagh for American Oil Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition under section 21 of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2871-2875 Baisley Avenue, 3319-3333 East Tremont Avenue, north west corner of Baisley Avenue, Block #5333, Lots Nos. 1, 4, and 110, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick D. Concagh.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

338-46-BZ—Vol. II

APPLICANT—Charles M. Spindler for Peteling Realty Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business use district, for a term of two years, the sale and display of used cars.

PREMISES AFFECTED—1498-1526 Coney Island Ave., west side, 100 feet north of Avenue L, Block #6536, Lots Nos. 30, 34, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

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657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking and storage of motor vehicles for a term of years.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 ft. east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of Bronx.

APPEARANCES—

For Applicant: Rose S. Maute.

ACTION OF BOARD—Application reopened and set for hearing on November 18, 1958, at 10 a.m., in view of the term of variance having expired on January 27, 1958, waiving all requirements, and a new decision from the Borough Superintendent to be filed and two publications in the Bulletin and a copy of the Certificate of Occupancy.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative:0
Absent: Vice Chairman Keating 1

881-54-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Shell Oil Co., new owner; Bon Ami Holding Corp., former owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, permitting in the business use district for a term of fifteen years, the erection and maintenance of a gasoline service station, auto laundry, lubricatorium, motor vehicle repairs, storage and sale of accessories, and office with an entrance (curb cut) nearer the residence use district than is permitted and permitting the parking of cars waiting to be serviced.

PREMISES AFFECTED—218-10 Northern Boulevard, south side, from Springfield Boulevard to 218th Street, 45-02 to 45-12 Springfield Boulevard and 45-01 to 45-09 218th Street, Block 7338, Lot 10, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative:0
Absent: Commissioner Foley 1

623-55-BZ

APPLICANT—Benjamin Heffner, for Samuel T. Nierenberg, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 16, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a residence use district, parking of patrons cars for adjoining store.

PREMISES AFFECTED—35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Heffner.

ACTION OF BOARD—Application reopened and set for hearing on November 18, 1958, at 10 a.m., subject to the regular procedure waiving all requirements except new decision of the Borough Superintendent, which has been filed, and two publications in the Bulletin for notice, in view of time to complete having expired on October 16, 1957.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating Commissioner Kleinert and Commissioner Sleeper 4
Negative:0
Absent: Commissioner Foley 1

657-55-BZ—Vol. II

APPLICANT—Gustave Goldman for Joseph Ventola, owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied under sections 7c and 21 of the Zoning Resolution, to permit in a residence use D area district, the extension of restaurant, bar, cabaret, parking of more than 5 cars, and 1 family residence into the residence use district exceeding permissible coverage and without the required rear yard.

PREMISES AFFECTED—1012-1022 Ralph Avenue, west side, 45 feet south corner of Snyder Avenue, Block 4731, Lot 42, Borough of Brooklyn.

APPEARANCES—

For Applicant: Gustave Goldman.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative:0
Absent: Commissioner Foley 1

787-55-BZ—Vol. III

APPLICANT—J.G.L. Molloy, for B. Kerner & Son, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. III, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business use district, the increase in the area of the gasoline service station by the addition of the adjoining lot 49 in Block 345.

PREMISES AFFECTED—160-168 Ridge Street and 339 East Houston Street, southeast corner, Block 345, Lots 44, 48 and 49, Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative:0
Absent: Commissioner Foley 1

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555-56-BZ—Vol. II

APPLICANT—Carl H. Salminen, for Charles J. Erthal, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a, 7i and 21 of the Zoning Resolution, permitting in a retail use district, the extension of the present use of the gasoline station, public garage and store to include a motor vehicle repair shop, parts display and sales, wheel alignment, lubritorium, car washing, welding and the sale of used cars.

PREMISES AFFECTED—22-50 122nd Street and 121-11 23rd Avenue, northwest corner, Block 4197, Lot 40, College Point, Borough of Queens.

APPEARANCES—

For Applicant: Carl H. Salminen.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

149-57-BZ—Vol. II

APPLICANT—Jerome W. Perlstein for Butcher Knitting Mills Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7c and 21 of the Zoning Resolution, to permit in a residence and business use D area district, the maintenance of a parking lot for customers and employees and the erection of a Class III factory building extending from the business use into the residence use district and exceeding the permissible area coverage.

PREMISES AFFECTED—71-45 Metropolitan Avenue, north side, 69.74 feet west of Pleasantview Street, Block 3055, Lot 16, Borough of Queens (Middle Village).

APPEARANCES—

For Applicant: Jerome W. Perlstein.

ACTION OF BOARD—Application reopened as Vol II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

150-57-A—Vol. II

APPLICANT—Jerome W. Perlstein, for Butcher Knitting Mills Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Section 35, General City Law—re use of portion of premises in bed of mapped street, proposed widening of Metropolitan Avenue; previously withdrawn.

PREMISES AFFECTED—71-45 Metropolitan Avenue, north side, 69.74 feet west of Pleasantview Street, Block 3055, Lot 16, Middle Village, Borough of Queens.

APPEARANCES—

For Applicant: Jerome W. Perlstein.

ACTION OF BOARD—Appeal reopened as Vol. II subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

616-57-BZ

APPLICANT—Gustav Goldman, for Barney Scurti, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a one-story and cellar building to be used as a restaurant and apartment and the unbuilt upon portion to be used for the parking of patrons cars.

PREMISES AFFECTED—2878-2888 Linden Boulevard, south side, 40 feet west of Sapphire Street, and 314 Sapphire Street, Block 4497, Lots 4, 5, 8 and 11, Borough of Brooklyn.

APPEARANCES—

For Applicant: Gustav Goldman.

ACTION OF BOARD—Application for amendment withdrawn; applicant to file new application subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

Adjourned: 4:05 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on May 6, 1958, as they appeared in Bulletin No. 19, Vol. 43, hereby corrected to read as follows:

154-58-A

APPLICANT—Burke, Green and Groh, for Fitchett Crescent Corp. and Catherine Du Melle, owners.

SUBJECT—Application March 21, 1958—filed pursuant to section 35, General City Law re premises partially in bed of proposed widening of Kissena Boulevard.

PREMISES AFFECTED—46-45 Kissena Boulevard, northeast corner of Laburnam Avenue, Block 5208, Lots 32 and 42 (32), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated March 5, 1958, on new building application 2614/57 reads:

"1. As premises are located partially in bed of a mapped street secure approval of Board of Standards and Appeals as per section 35 of General City Law for use of that portion of plot within bed of mapped street." and

WHEREAS, the applicant states that premises consist of a plot 145.16 feet front, by 272.52 feet irregular in area, on

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which it is proposed to erect a building for use as a storage garage motor vehicle repair shop and for the parking of employees cars; and

WHEREAS, the applicant states that while the proposed plans shows the building entirely within the lines of the new proposed building line there is a widening proposed of 17.62 feet along Kissena Boulevard and passage would be made to and from the proposed building over that portion of the land within the bed of the map street widening; and

WHEREAS, the applicant advised in his letter of April 22, 1958, that there is a recorded agreement allowing the owner of the premises Lots 32 and 42 to cross the strip formerly part of Shiller Street to the new line of Laburnam Avenue; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 2614/57, Objection No. 1, be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the portion of Kissena Boulevard as mapped for street widening, *on condition* that the requirements of the resolution adopted this day under Cal. No. 788-57-BZ shall be complied with; that such widening spaces shall be paved but no building erected thereon and may be used for exit and entrance from Kissena Boulevard, provided the wall of the building is set back to the line of the proposed widening line, as shown on plans filed under Cal. No. 788-57-BZ; that in the event that the City acquires a portion of the premises for street purposes, payment therefor shall be as determined by the Court.

* Correction—In the applicant's statement in regard to the proposed widening along Kissena Boulevard, the measurement of "five feet" corrected to "17.62 feet" as indicated in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 7, 1958, as they appeared in Bulletin No. 41, Vol. 43, hereby corrected to read as follows:

815-57-A

APPLICANT—Sidney H. Kitzler, for Meyer Tucker, owner.

SUBJECT—Application November 21, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 172, subdivision 6 of the Multiple Dwelling Law re increase in Bulk and Volume subsequent to 1940.

PREMISES AFFECTED—91-97 West End Avenue and 101-103 Hampton Avenue, northeast corner, Block 7516, Lot 549, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper. . . 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 31, 1957, on Alt. Applic. 2005/57 reads:

"1. Bulk and Volume has been increased subsequent to 1940 which is contrary to Sec. 172 subd. 6 of the M.D.L." and

WHEREAS the applicant states that the building is 1 and 3 stories, 15 and 34 feet in height, 53 feet front by 37 and 35 feet in depth at street level, 20 feet front by 37 feet depth at typical floor level, of class 3 construction, erected 1920, located on a lot 53 feet front by 48 feet in depth, in a business

use C area, class 1 height district, and used and occupied since 1920 and 1952 as follows: Cellar—boiler room; 1st floor—3 stores and dwelling, 1 family; 2nd floor—dwelling, 1 family; 3rd floor—dwelling, 1 family; that it is proposed to be altered and used and occupied as follows: cellar—boiler room; 1st floor—2 stores and dwelling, 2 families; 2nd floor—1 family; 3rd floor—dwelling, 1 family; that the building is provided with one 2 foot 8 inch wide interior wood stairs, enclosed in wood, equipped with wood doors which are not self-closing; that stairhall leads direct to street and is provided with a ladder and scuttle to roof; that in addition there is one fire escape at the rear, extending to roof by ladder and to yard by ladder with egress through yard to street; and

WHEREAS, Certificate of Occupancy #134293 issued January 5, 1953 against Alt. Applic. 586/52, permits the following use and occupancy; cellar—boiler room; 1st floor—3 stores; 2nd floor—dwelling, 1 family; 3rd floor—dwelling 1 family; that this certificate of occupancy refers to No. 97 West End Avenue, north east corner of Hampton Avenue; and

WHEREAS, Certificate of Occupancy #28619 issued August 27, 1924, against N.B. Permit No. 558/23, for 93 to 97 West End Avenue, north east corner of Hampton Avenue, describes the building as 1—store and 2 family dwelling; and

WHEREAS, the applicant states that the site was improved with a 3 story brick building, 20 feet wide by 37 feet deep, erected prior to 1929 for use as a store on the 1st floor and 1 family each on the 2nd and 3rd floors; that this building was erected on the extreme northerly portion of the plot; that in 1952 a one story brick building was erected on the balance of the plot, extending from the 3 story building to the Hampton Avenue building line; that this building was occupied as 2 stores, each with a store room at the rear; that plans were filed and approved and the building was erected with an extension to the 3 story building, even though the plans indicated there was to be no access or other openings between the two buildings; and

WHEREAS, the applicant states that Alt. Applic. 2005/57 converts the building from stores and 2 families to stores and 4 families was denied on the grounds that the bulk and area of the 2 family dwelling was increased subsequent to 1940; and

WHEREAS, the applicant contends that since there are no openings between the 2 buildings, the bulk and area of the original 2-family dwelling has not been increased; that the Department would accept the condition conforming to law if the plot were reapportioned so that each building would be on its own lot; that if the actual physical condition would be legal, if the plot were reapportioned; that this condition should be accepted as now existing; that reapportionment cannot be accomplished because the yard and other open spaces required make it mandatory that the plot remain as a corner lot; and

WHEREAS, the applicant stated that he considers this appeal covers two buildings and requests that the Board act on the existing three-story building only; and

WHEREAS, the Board considers that there are two buildings and there is therefore no extension in bulk of the three story building; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 2005-57, Objection No. 1, be and it hereby is *modified* under the powers vested in the Board by Section 310 of the Multiple Dwelling Law, and that the appeal be and it hereby is *granted*, to permit the Borough Superintendent to act on the two buildings separately and pass on the proposed altered use of the three-story building as a three-family dwelling, one family on each floor, plans being shown on drawings marked "Received November 21, 1957", 6 sheets, and "March 14, 1958", 1 sheet.

* Reference in the resolution to the appeal being granted under the Labor Law deleted and the Board's action based on Section 310 of the Multiple Dwelling Law.

RULES

Fire Drill Rules, Adopted by the Board of Standards and Appeals, October 5, 1923

(593-23-SR)

DEFINITION OF "FIRE DRILL"

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1.

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenants shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION

Premises
Name of concern.....
Building No.Story.....

FOREMAN OR PERSON IN CHARGE

Regular Substitute

WATCHMAN

.....
.....

MALE SEARCHER

.....

FEMALE SEARCHER

.....

STREET ALARM BOX RUNNER

.....

FIRE BRIGADE

.....
.....
.....

EXIT GUARDS

Exit.....
".....
".....
".....
".....

Squad Monitors

.....Squad No. 1.....
....." 2.....
....." 3.....
....." 4.....
....." 5.....
....." 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captain's) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET-ALARM-BOX-RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

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Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the Fire Department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways, and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the

persons on the premises engaged at work for a factory, and drills shall be conducted at least twice, each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNERS, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs, requiring winding are rewound after each alarm and kept in normal condition for operation.

Rule 11. Duties of Engineer.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc. are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills, showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

Applicants, under the zoning resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying proper owners, they may obtain such

copies at the office of the Board of Standards and Appeals, at 80 Lafayette Street, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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Address all communications to the Chairman

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At Special Term, Supreme Court, Kings County, Mr. Justice Brown remitted the case to the Board, saying in part: (N. Y. Law Journal, October 30, 1958, page 14):

"for reconsideration and the making of a new determination in proper form, with leave to all parties to submit such other and further proof before the board as they may be advised." The court expresses the opinion that the Board has not stated sufficient reasons for denying this application in view of two other gas stations granted within 400 ft."

* * * * *

Matter of Anthony Cavally, et al. vs. Harris H. Murdock, et al.:—On March 25, 1958 the Board granted a variance under section 7e of the Zoning Resolution, to permit in a residence use district, the extension of the present bakery use to an adjoining building as a retail and wholesale bakery; Cal. No. 145-47-BZ,* Premises 17-19 Cornelia Street, north side, 191 feet, 1 inch west of West 4th Street, Borough of Manhattan.

At Special Term, Supreme Court, Mr. Justice Gavagan vacated the order of certiorari and confirmed the decision by the Board without prejudice to the intervenor, requesting a modification as to the term of the variance. (N. Y. Law Journal, October 17, 1958, page 12).

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* * * * *

Matter of Evangelical Lutheran Church of the Holy Comforter, Bronx, N. Y. vs. Murdock:—On September 24, 1957 the Board granted a variance under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than 5 motor vehicles: Cal. No. 157-57-BZ, Premises 1191-1195 Woodycrest Avenue, west side, 140 ft. north of West 167th Street, Block 2515, Lot 53, Borough of The Bronx.

At Special Term, Supreme Court, Mr. Justice Tilzer refers to a later action by the Board as to another application which the Board denied as to lot 37 in the same block, under Cal. No. 314-57-BZ. The application that the Board granted on lot 53 is to the southwest of the church and the lot which the Board denied is at the rear of the church as well as to the rear of some adjoining owners who were in opposition. Cal. No. 157-57BZ, which was before the court, was filed on March 1, 1957 and granted on September 24, 1957. The other case referred to by the court, namely 314-57-BZ was filed on April 17, 1957 and denied on December 3, 1957. Accordingly, they were not considered together as the court has stated. The Board deemed that the grant on lot 53 was justified but that the use on lot 37 was not justified as the bulk of the lot was a long, narrow piece of property at rear of the church and other property owners with one lot on Woodycrest Avenue.

The court said in part:

"the analogy between the two applications was so complete; each of the proceedings was before the board at the same time; each was for a parking lot in the same block, the variance being sought as to two plots which came abreast of each other; . . ."

The court remitted the matter to the Board for "consideration de novo". (N.Y. Law Journal, October 21, 1958, page 13).

128-57-BZ, 400-57-BZ, 629-57-BZ, 24-34-BZ—Vol. II, 1478-39-BZ—Vol. II, 950-40-BZ—Vol. III, 491-50-BZ—Vol. II, 649-56-BZ, 746-38-SA—Vol. II, 1013-47-SM, 650-52-SA, 731-52-SM, 862-54-SA, 248-56-SA and 996-57-SM.

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Cal No. Dept. Premises Affected

619-58-BZ—B.R.—333 Forest Avenue, northeast corner of Hart Boulevard, Block 131, Lot 242, West Brighton, Borough of Richmond, N.B. 940-58—re gasoline service station, car wash, repairs, etc.—retail use district.

620-58-BZ—B.M.—408 East 116th Street, south side and 411-413 East 115th Street, north side, 95 feet east of 1st Avenue, Block 1709, Lots 5, 6 and 43, Borough of Manhattan, Amendment to Alt. 1122-58—re parking lot, etc.—residence and local retail use district.

621-58-A—B.M.—371-379 Park Avenue, west side, from East 52nd to East 53rd Streets and 101-131 East 52nd Street, Block 1307, Lots 1, 14 and 61, Borough of Manhattan, Violation 6145-58—re installation of permanent power operated scaffold.

622-58-BZ—B.Bx.—3850-3852 Bronxwood Avenue and 904-908 East 222nd Street, northeast corner, Block 4692, Lots 40, 42 and 43, Borough of The Bronx, N.B. 1030-58—re gasoline service station, minor repairs, parking and storage of more than five motor vehicles, etc.—residence use district.

623-58-BZ—B.Q.—33-04 23rd Street and 21-04 33rd Avenue, southwest corner, Block 556, Lots 34, 35, 36, 37, 38 and 39, Astoria, Borough of Queens, N.B. 3287-58—re factory building, offices, parking of trucks, etc.; area excessive—residence use, B area district.

624-58-A—F.D.—Foot of 50th Street, 193.17 feet east of 1st Avenue, Bush Building No. 58, Block 725, part of Lot 1, Borough of Brooklyn, Order No. 6971-8—re partitions.

625-58-A—B.R.—167 Olympia Boulevard and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond, Alt. 44-58—re driveway and curb cuts in bed of a mapped street.

626-58-A—B.M.—74 Broad Street, southwest corner of Marketfield Street, Block 11, Lot 17, Borough of Manhattan, Alt. 1285-58—re building over four stories in height should be fireproof construction.

627-58-BZ—B.B.—2347-2369 Linden Boulevard, northeast corner of Shepherd Avenue, Block 4476, Lot 22, Borough of Brooklyn, N.B. 1547-58 and N.B. 1548-58—gasoline service station, diner, kitchen, office and accessory parking, etc. residence use district.

628-58-SM—Jersey Shortspans, open web short span steel joists, for roof and floor systems, manufactured by New Jersey Steel Joist Corp., Material.

629-58-BZ—B.M.—263 3rd Avenue and 201 East 21st Street, northeast corner, Block 902, Lot 1, Borough of Manhattan, Alt. 1499-58—re parking lot—local retail use district.

630-58-BZ—B.B.—4904 Church Avenue, south side, 20 feet east of East 49th Street and 431 East 49th Street, Block

4697, Lots 2 and 56, Borough of Brooklyn, Alt. 781-58—re parking for more than five motor vehicles—retail and residence use district.

Restored to Docket

789-55-A—B.M.—711 5th Avenue, northeast corner of East 55th Street, 3rd and 4th floors, Block 1291, Lot 1, Borough of Manhattan, Amendment to Alt. 1660-57—re sprinkler system.

996-57-SM—Vitro-Bond, self-curing portland cement mortar for setting ceramic tile, manufactured by Borden Co.; reopened for test and report as to change in trade name, Material.

248-56-SA—Wayne Power-Operated Discharge Device (for dispensing gasoline), Models 90 and 90X, manufactured by Wayne Pump Co.; reopened for report as to additional models, Appliance.

862-54-SA—Bennett Pumping Unit, Model 70 and Bennett Island Dispensers, Models 952, 953, 962, 963, 972, 973, 982, 983, 748RC and 749RC, manufactured by John Wood Company, Bennett Pump Division; reopened for report as to additional models, Appliance.

746-38-SA—Vol. II—Bennett Pumps for Motor Fuels, Models 748 and 749, manufactured by John Wood Company, Bennett Pump Division; reopened for report as to additional models, Appliance.

731-52-SM—Linkrusta (wall covering), manufactured by Hellemann's, reopened and restored to docket for test and report, Material.

1013-47-SM—Porex Plank Roof Deck, 2 in. and 3 in. Planks, manufactured by Porete Manufacturing Company, reopened for report for additional size plank, Material.

650-52-SA—Beltran Associates, Inc. Drying Tunnels Coordinated with Direct Fired Air Heaters, manufactured by Beltran Associates, Inc.; reopened for report as to additional use of oven, Appliance.

1478-39-BZ—Vol. II—B.Q. 175-01 to 175-65 Hillside Avenue, northwest corner of Edgerton Boulevard, Block 9835, Lots 16, 61, 18 and 3, Jamaica, Borough of Queens, Alt. 1200-58—re increase in area of parking lot to include that portion which is in a residence use district.

649-56-BZ—B.Bx.—911 Sacket Avenue, north side, 94 feet east of Bronxdale Avenue, Block 4058, Lots 25 and 26, Borough of the Bronx, Amendment to N.B. 1761-56—reopened for consideration as to extension of time to complete—re erection of a one story non-storage garage—residence and unrestricted use district.

491-50-BZ—Vol. II—B.B.—2335-2353 Cropsey Avenue, northeast corner of Bay 34th Street, Block 6889, Lot 9, Borough of Brooklyn, Alt. 1142-58—re gasoline service station, parking and storage of more than 5 motor vehicles, auto repairs with hand tools only, lubrication, etc.—residence use district.

CALENDAR

950-40-BZ—Vol. III—B.B.—7610-7618 4th Avenue, west side, 59 feet south of 76th Street, Block 5950, Lot 47, Borough of Brooklyn, Alt. 1669-58—re extension of the existing building and use—residence use district.

24-34-BZ—Vol. II—B.B.—3117-3127 Surf Avenue, northeast corner of West 32nd Street, Borough of Brooklyn, Alt. 2128-58—re stores, bowling alley and catering, etc.—local retail and residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

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Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)...	Aug. 3, 1937—Vol. 22, No. 31
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Oil Burner Rules	Nov. 20, 1956.
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Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

NOVEMBER 12, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday morning, November 12, 1958, at 10 o'clock, at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

Hearing postponed from October 7, 1958, to November 12, 1958, at the request of the applicant to revise his plans.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side 181.76 feet north of Old Town Road, Block 3224 Lot 14, Grasmere, Borough of Richmond.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubricatorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

Laid over from November 5, 1958, to November 12, 1958, at the request of an objector.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rus-ciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

CALENDAR

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Kolodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II

—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

386-58-BZ

APPLICANT—Unger and Unger, for Alex Lifschutz, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of a one story extension with less than the required setback.

PREMISES AFFECTED—616 East 19th Street, southwest corner of Foster Avenue, Block 5239, Lot 44, Borough of Brooklyn.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

Laid over from November 5, 1958, to November 12, 1958, for continued hearing after applicant has filed revised plans.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request

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of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for further inspection and decision.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i, and 7a of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

Laid over from July 22, 1958, to July 29, 1958, for inspection and decision; hearing closed; then to September 30, 1958, at the request of the applicant to submit revised plans to the Board; and notice to be sent out to all the owners in the area; then to October 21, 1958, for applicant to send out notices by regular mail and for inspection; then to November 12, 1958, for further inspection and decision.

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

Postponed from September 17, 1958, to October 15, 1958, for hearing at request of objector; then to October 28, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for applicant to file revised plans, showing no portion of the building in the residence district, that such portion shall be fenced and the building limited to one story, located entirely in the portion of site zoned for business use.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East 98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a plot, partly in an unrestricted use district and partly in a business use district, the extension of the present use of wooding shops, office and storage of lumber in building by increasing the size of the plot and use the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and 9801-9807 Ditmas Avenue, northeast corner and 736-750 Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for applicant to file revised plans showing an unused portion of plot forty feet from the northerly lot line and running at right angles thereto as a fire break.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 12, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Wednesday afternoon, November 12, 1958 at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II Appeal from a decision of the Borough Superintendent re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08 40th Road, southeast corner, Block 403, Lot 43, Long Island City, Borough of Queens.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben Beverly, owner: Ben Beverly Equipment Co., Inc., lessee.

SUBJECT—Application June 8, 1955—Appeal from a deci-

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NOVEMBER 18, 1958, 10 A.M.

sion of the Borough Superintendent—re frame building—factory use.

PREMISES AFFECTED—38-02 28th Street, southwest corner of 38th Avenue, Block 386, Lot 16, Long Island City, Borough of Queens.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.

SUBJECT—Application August 14, 1956—Appeal from a decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, building being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.

SUBJECT—Application reopened October 7, 1958—As Vol. II—Appeal from a decision of the Borough Superintendent, re use of frame building within fire limits for storage.

PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning*, November 18, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Ave., southeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

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268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue (Street), north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

457-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of a vacant plot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2330-2334 Cambreleng Avenue, east side, 274.52 feet south of East 187th Street, Block 3089, Lots 18-19-20, Borough of the Bronx.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9 $\frac{1}{8}$ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

272-56-BZ

APPLICANT—John Sellers Yates, for John Sellers and Marguerite T. Yates, owners.

SUBJECT—Application March 2, 1956—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of an extension for an additional entrance to an existing one family dwelling with less than the required setback.

PREMISES AFFECTED—961 Todt Hill Road, east side, 15.05 feet south of Coventry Road, Block 896, Lot 45, Dongan Hills, Borough of Richmond.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

195-57-BZ

APPLICANT—Harry A. Yarish, for Ethel Weissman, owner.

SUBJECT—Application March 18, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the change in occupancy of a two car garage to a one (1) family dwelling.

PREMISES AFFECTED—3844 Laurel Avenue, south side, 120 ft. east of Highland Avenue, Block 6976, Lot 13, Borough of Brooklyn.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

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PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

623-55-BZ

APPLICANT—Benjamin Heffner, for Estate of Samuel T. Nierenberg, owner.

SUBJECT—Application (expired October 16, 1957) reopened October 28, 1958 for consideration as to extension of time to complete—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district for a term of years, the parking of cars for patrons and employees of adjoining stores.

PREMISES AFFECTED—35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then laid over for further inspection and decision; date to be determined; now set for November 18, 1958.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wolheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed; then laid over for further inspection and decision; date to be determined; now set for November 18, 1958.

123-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Grenlac Holding Corp., owner.

SUBJECT—Application February 14, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, sales rooms, car wash, storage, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1101-1111 Grenada Place and 4126-4134 Laconia Avenue, northeast corner, Block 4927, Lot 2, Borough of The Bronx.

Laid over from October 22, 1957, to November 19, 1957, for inspection and decision; hearing closed; then to December 3, 1957, for further inspection and decision; then to December 10, 1957, for inspection and decision; applicant having been notified; then to December 17, 1957; then to January 7, 1958, for further inspection and decision; then laid over from January 7, 1958, for decision; date to be set; then set for March 11, 1958; then laid over from March 11, 1958, to March 18, 1958, for full vote of the Board; then laid over from March 18, 1958, for the members of the Board to view the stores now under construction across the street from this site, and laid over for a continuation of the vote until such time as the stores on 231st Street are constructed; date for decision to be determined; now set for hearing June 24, 1958; then laid over from June 24, 1958, date to be set; for further consideration and decision; now set for November 18, 1958.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate.

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234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; applicant to file revised plans showing houses on either side of 101st Avenue; hearing closed.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing

(non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; applicant to file amended plans, showing pumps 15 feet from building line; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and

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restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing-non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied. PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to November 18 for possible sale of property for conforming use; hearing closed.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

Laid over from September 30, 1958, date to be set pending information from the applicant as to title to premises and lease to tenant; and for inspection and decision; hearing closed; now set for November 5, 1958; now set for November 5, 1958; then to November 18, 1958, at request of the Board, to inspect plans originally approved by the Department of Buildings.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed; then to November 5, 1958, for statement from Park Department as to actual time of development of subject site for park pur-

poses and for applicant to submit sworn to statement that owner will waive any claim for damages if and when property is so taken for the proposed extension to building; then to November 18, 1958, for definite statement from the Park Department as to when property is to be acquired; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, November 18, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1951—1-B Master Anti-Siphonic Ballcock; previously dismissed.

881-53-SM

APPLICANT—Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., owner.
SUBJECT—Application December 10, 1953—Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive, approval of.

134-55-SA

APPLICANT—Burden Industrial Appliance Corp., for Burnham Corp., owner.
SUBJECT—Application February 18, 1955—Burnham Explosion Proof Electric Radiator, Models EPW-20, EPW-25, EPW-30, EPR-20, EPR-30, EPR-25, EP44-20, EP44-25, and EP44-30, approval of.

878-56-SM

APPLICANT—Burke, Anzini & Court Co. Inc., for Tropical Tiles Inc., owner.
SUBJECT—Application December 13, 1956—Vibracast Cement Tile, approval of.

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571-57-SA

APPLICANT—Forse Corporation, owner.
SUBJECT—Application July 16, 1957—Forse Corporation
Shirt Pressing & Folding Machines, approval of.

707-57-SA

APPLICANT—American Standard Air Conditioning Division, owner.
SUBJECT—Application September 6, 1957—American-Standard Air Cooled Evaporator Units, Models RC-H, RC-V, RC-C, RC-B Evaporator Units and AC-A Condensing Units, approval of.

819-57-SM

APPLICANT—The Pittsburgh Corning Corporation, owner.
SUBJECT—Application October 29, 1957—Durasonic Foam-glas (acoustical tile), approval of.

897-57-SM

APPLICANT—Conviser and Company, owner.
SUBJECT—Application November 29, 1957—Conviser Concrete filled steel columns (square and rectangular), approval of.

898-57-SM

APPLICANT—Conviser and Company, owner.
SUBJECT—Application November 29, 1957—Conviser Steel Sheel Concrete filled steel columns (large diameter), approval of.

899-57-SM

APPLICANT—Conviser and Company, owner.
SUBJECT—Application November 29, 1957—Conviser Concrete filled steel columns (extra heavy weight series), approval of.

900-57-SM

APPLICANT—Joseph Platzker for Curtiss-Wright Corporation, owner.
SUBJECT—Application December 2, 1957—Curon Wall Covering, approval of.

950-57-SA

APPLICANT—The Dearborn Stove Company, owner.
SUBJECT—Application October 24, 1957—Dearborn Gas-fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A and DVCK-60A, approval of.

57-58-SM

APPLICANT—The National Gypsum Company, owner.
SUBJECT—Application January 2, 1958—Gold Bond Acoustico and Acoustiglas Ceiling Tile and Panels (incombustible acoustical materials), approval of.

101-58-SA

APPLICANT—The Alstrom Corporation, owner.
SUBJECT—Application March 5, 1958—Alstrom Filmwall Oil Preheater. Model "FW" Oil Preheater Non-contaminating, approval of.

162-58-SA

APPLICANT—Electrol Burner Mfg. Company, Inc., owner.
SUBJECT—Application March 18, 1958—Electrol Oil Burner, Models HO-2, HO-3 and HO-4, approval of.

220-58-SM

APPLICANT—Charles Bloom, Inc., owner.
SUBJECT—Application March 24, 1958—Fire-LL Drapery Fabric, approval of.

267-58-SA

APPLICANT—The Standard Electric Time Company, owner.
SUBJECT—Application March 26, 1958—Standard Electric Time Co., Emergency Lighting System, Type 32, Series 300, approval of.

271-58-SM

APPLICANT—Duffy Concrete Products Inc., owner.
SUBJECT—Application April 25, 1958—Duffcon Longspan Precast Concrete Super Slabs, approval of.

436-58-SA

APPLICANT—Tokheim Corporation, owner.
SUBJECT—Application July 18, 1958—Tokheim, Models 448 and 452 Gasoline Pumps with or without suffixes, P, PEH, RC, Twin, 1 and 2, approval of.

437-58-SA

APPLICANT—Tokheim Corporation, owner.
SUBJECT—Application July 18, 1958—Tokheim Emergency Shut-off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4, 1099-1, 1099-2, 1099-3 and 1099-4, approval of.

445-58-SA

APPLICANT—Peter S. Gluck for Earl Scheib Paint & Supply Company, owner.
SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

575-58-SA

APPLICANT—Cook Machinery Company, owner.
SUBJECT—Application October 6, 1958—Aldryer or Tumble Gas-fired Clothes Dryer, Models 37M30 and 37S30, approval of.

408-49-SM

APPLICANT—Firedoor Corp. of America & Spartan Steel Products, owners.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to change of ownership—re World 3 Hour Hollow Metal Fire Door (panel and flush type); previously approved.

583-57-SA

APPLICANT—Air Reduction Company, owner.
SUBJECT—Application reopened June 10, 1958 for amendment of resolution—re Airco Liquid Oxygen Station (storage and vaporization of liquid oxygen, nitrogen and argon), Models 5-4, 7-8, 9-8, 9-25, 9-40 and 9-100; previously approved.

700-55-SA

APPLICANT—Vacuum Gas Burner Company, owner.
SUBJECT—Application August 12, 1955—Blu-Flame, Models VG-35, VG-45, VG-50 and VG-60; approval of.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.
SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.
PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, east of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

572-57-A

APPLICANT—Fresh Meadow Cleaners Inc., lessee (New York Life Insurance Co., owner).
SUBJECT—Application April 3, 1957—Appeal from a decision of the Borough Superintendent, request to review Borough Superintendent's decision on wet wash laundry use.
PREMISES AFFECTED—61-48 188th Street, northwest corner of 64th Avenue, Block 7075, Lot 1, Fresh Meadows, Borough of Queens.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.
SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.

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PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

552-37-A—Vol. IV

APPLICANT—Wechsler and Schimenti, for Russell B. Booth, owner.

SUBJECT—Application reopened May 28, 1957 as Vol. IV—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens.

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 25, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning November 25, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east

side, 100.06 feet north of Adeo Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1601-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the mainte-

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nance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.
PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

421-58-BZ

APPLICANT—Department of Public Works, Albert B. Bauer, for City of New York, owner.

SUBJECT—Application July 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a Class 1½ height district, the erection of an eight (8) story building with less than the required setbacks on the upper floors, thereby exceeding the permitted height.

PREMISES AFFECTED—205-235 East 20th Street, north side, 75 feet, east of 3rd Avenue, Block 901, Lots 6, 9, 14, 40, 41, 42, 43, 44, Borough of Manhattan.

443-58-BZ

APPLICANT—Leonard F. Rothkrug, for Meadow Gold Products Corporation, owner.

SUBJECT—Application July 22, 1958—decision of the Borough Superintendent, under section 19A of the Zoning Resolution, to permit in an unrestricted use, A area district, a voluntary loading berth to be used in conjunction with the existing Ice Cream manufacturing plant, less than 25 feet from the intersection.

PREMISES AFFECTED—775-779 Kent Avenue, southeast corner of Little Nassau Street, Block 1884, Lot 18, Borough of Brooklyn.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Borough of Queens.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

551-57-BZ—Vol. II

APPLICANT—Hurley Kearney and Lane, for Samuel Eidelberg, and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings Bank building thereon and the use of the unbuilt upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

594-50-BZ—Vol. II

APPLICANT—Alvin F. Golankiewicz for Frank Golankiewicz and Roman Golankiewicz, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot consisting of three lots, the extension of a parking lot, previously granted by the Board and located on the westerly 62 feet of the premises, to occupy the entire plot.

PREMISES AFFECTED—649-659 East 225th Street, north side, 205.02 feet east of Carpenter Avenue, Block 4827, Lots 29, 34, and 36, Borough of The Bronx.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Velentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the

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Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision; then to November 25, 1958, at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102. Lots 19 and 35, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

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PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realties, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 Baychester Avenue, northwest corner of East 222nd Street, Block 4880, Lots 23 and 30, Borough of The Bronx.

Laid over from November 5, 1958, to November 25, 1958, for applicant to file revised plans showing pumps back fifteen feet from the street building line and for inspection and decision; hearing closed.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hands tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Bor-

ough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

Laid over from November 5, 1958 to November 25, 1958, for inspection and decision; hearing closed.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

Laid over from November 5, 1958, to November 25, 1958, for inspection if necessary and decision; hearing closed.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re (decision of the borough superintendent) under section 7e, of the zoning resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

Laid over from October 30, 1956 to November 27, 1956, to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957,

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at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958, then November 25, 1958, for inspection and decision; also for statement from the Park Department; hearing closed.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the borough superintendent—re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 25, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November 25, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

416-58-A

APPLICANT—Leonard F. Rothkrug, for Frank Debski, owner.

SUBJECT—Application filed June 26, 1958, pursuant to Section 310 of the Multiple Dwelling Law for variation of provision of Section 172 of the Multiple Dwelling Law relating to rear yard.

PREMISES AFFECTED—45 University Place, east side, 84 feet north of East 9th Street, Block 561, Lot 3, Manhattan.

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.

SUBJECT—Application November 6, 1957—Appeal from a

decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.

PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 2, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 2, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricatory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zon-

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ing Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubritorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons, cars for Riccardo's Restaurant on Block No. 876, Lot No. 15 (fee to be charged).

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the

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Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

649-56-BZ

APPLICANT—Henry Nordheim, for Ignazio Arnone, owner.

SUBJECT—Application reopened November 5, 1958 for consideration as to extension of time to complete, expired July 23, 1958—decision of the Borough Superintendent, previously granted on condition under sections 7b and 21 of the Zoning Resolution, permitted in a residence and unrestricted use district, the erection of a one story non-storage garage.

PREMISES AFFECTED—911 Sacket Avenue, north side, 94 feet east of Bronxdale Avenue, Block 4058, Lots 25 and 26, Borough of The Bronx.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to December 2, 1958, at the request of the applicant to submit a complete report of the conditions to the Board and statement as to occupancy by three families as indicated by the three bells at the side door.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; hearing closed.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; applicant to submit corrected plans; hearing closed.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 9, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 9, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

556-58-A

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent re escalators.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, 1st and 2nd floors, Block 1004, Lot 29, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

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DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only,

non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

HARRIS H. MURDOCK, *Chairman*

MINUTES

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 5, 1958
10 A. M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, October 21, 1958, were approved as printed in the Bulletin of October 28, 1958, Vol. 43, No. 43.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner; Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II—re decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and hand tools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: None.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; hearing closed.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Morris Ziedenweber and Edward Brinker.

For Opposition: Arminius Hayne, Rita Athenly, Nina Vann, Ella L. Bush, John Harris, Neomi Barnes and John Randall.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision: hearing closed.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 633, Lot 7, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Edward Hoffman for Park Dept.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A. M. for definite statement from the Park Department as to when property is to be acquired for park purposes; hearing closed.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re decision of the Borough Superintendent under section 7e, of the Zoning Resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room, oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 feet south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Edward Hoffman and D. Berman.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; also for statement from the Park Department; hearing closed.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the Borough Superintendent—re exits.

MINUTES

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 feet south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision in conjunction with Cal. No. 344-33-BZ, Vol. V; hearing closed.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory use of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Samuel Z. Cohen, Angel J. Dellano, Henry Khason and Betty Budoff.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A. M. at the request of an objector.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks.

For Opposition: Michael C. Curci, Philip Dahl, Anna Baltrusaitis, Agnes Dahl and Eugene H. Bartoldus.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; hearing closed.

352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: Mrs. J. Farrell, Julia Bayer, Mary Maloney and Agnes Scanlon.

ACTION OF BOARD—Laid over, date to be set; applicant to file revised plans as to accessory building and for inspection and decision; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Joseph Dunn.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A. M. for applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; hearing previously closed.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

For Opposition: None.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A. M. at request of the Board, to inspect plans originally approved by the Department of Buildings; hearing previously closed.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth.

For Opposition: Edward I. Friedman, Irving Stapen and James A. O'Brien.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection if necessary and decision; hearing closed.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 Baychester Avenue, northwest corner of East 222nd Street, Block 4880, Lots 23 and 30, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Edward G. Hoffman for City Construction Coordinator.

MINUTES

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for applicant to file revised plans showing pumps back fifteen feet from the street building line and for inspection and decision; hearing closed.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Arthur W. Burke, Anna Glantz, Sylvia G. Ross, Mrs. J. M. Jacobi, Mrs. J. Biancolo, Joseph Sisti, Marion Burns, David J. Ryan, John Kowakos, Benjamin Hurwitz, Mary Kelly, Rose Urbine, Ellen Toolan, Michael W. McCarthy, Thomas McManus, Anton Lochner, Michael P. O'Hara, Catherine L. Burns, Julia McCarthy, Lillian Epstein, Mary Smith, Hugo Jaeger, Mr. Georgio, Patrick Conner and Louis Cohen.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for inspection and decision; applicant to submit corrected plans; hearing closed.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Tricarico.

For Opposition: C. J. Cammarata.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; hearing closed.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hand tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, John Meyer and Arthur Levine.

For Opposition: None.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; hearing closed.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman, Arthur Levine and John Meyer.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; hearing closed.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, auto washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Taken off calendar and referred back to examiner to set a new date for hearing as there has been no notices of hearing sent out.

343-58-BZ

APPLICANT—Ingram S. Carner for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Ave., and 1 Clarke Place, northwest, corner of Block 2856, Lot 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Ingram S. Carner, Abe Merdinger and Bernard Grossman.

For Opposition: None.

ACTION OF BOARD—Laid over to November 12, 1958, at 10 A. M. for continued hearing after applicant has filed revised plans.

MINUTES

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.
SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.
PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Seguin Avenue, Block 6699, Lot 1, Princess Bay, Borough of Richmond.

APPEARANCES—

For Applicant: Samuel Carr.
For Opposition: Clifford H. Osgood, John T. Feeley, Dorothy N. Krane, Loretta J. Keating, Ruth Westcott, Jeremiah F. Shea and George J. Murray.
ACTION OF BOARD—Laid over for inspection and decision; date to be set; hearing closed.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.
SUBJECT—Application June 19, 1958—decision of Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college, hospital and visiting physicians.
PREMISES AFFECTED—1-15 East 106th Street north-side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

APPEARANCES—

For Applicant: George Link and George Link, Jr.
For Opposition: William J. Kaufman, Louis H. Heiger and Harry Paley.
For Administration: C. J. Cammarata, N. Y. C. Housing Authority.
ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for inspection and decision; hearing closed.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner; Jacob Barash, Lessee.
SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.
PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob W. Sherman.
For Opposition: None.
ACTION OF BOARD—Laid over to November 25, 1958, at 10 A. M. for inspection and decision; hearing closed.

43-58-BZ

APPLICANT—M. Martin Elkind, for Wesbern Realty Corp., owner.
SUBJECT—Application January 27, 1958—decision of the Borough Superintendent, under sections 7h and 21 of the Zoning Resolution, to permit in a business and residence use, D area district, the erection of an extension to the existing one-story building for manufacturing purposes and to use the residence portion of the premises for parking of employees' cars, the proposed extension exceeds the permitted area coverage.
PREMISES AFFECTED—41-25 to 41-29 216th Street, east side, 300 feet north of 43rd Avenue and 41-30 217th Street, Block 6307, Lot 18, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: M. Martin Elkind.
For Opposition: None.
ACTION OF BOARD—Application withdrawn, without prejudice.
THE VOTE—
Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

980-57-BZ

APPLICANT—Leonard F. Rothkrug, for Raymond Ricca, doing business as Gem Service Station, owner.
SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, and extending the uses to include minor motor vehicle repairs and car washing, non-automatic, with sales office and parts room on the first floor and an office on the mezzanine.
PREMISES AFFECTED—81-18 101st Avenue, south side, 175.12 feet east of 81st Street, Block 9081, Lot 19, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Rothkrug.
For Opposition: None.
ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 21, 1958 after due notice by publication in the Bulletin; laid over to November 5, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 81st Street are in a residence use, D area, class 1 height district; 101st Avenue and 102nd Avenue are in residence and retail use, D area, class 1 height districts; 84th Street is in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 20, 1957 acting on Alt. Applic. No. 2461-57, reads:

"1. The extension of an existing use to include the erection of a gas station, auto repair shop (hand tools only), car washing (non automatic), lubritorium and sales on 1st floor and office on mezzanine floor in a Residence Use District is contrary to Art. II Sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50.06 feet frontage by 100 feet in depth; that it is proposed to extend the accessory building and to add the uses of minor motor vehicle repairs and non-automatic car washing; and

WHEREAS, the applicant states that the gasoline service station use was established when the premises was in a business use district in 1924, when a gas station was a conforming use in a business zone; that it is not proposed to add any curb cuts; that no auto collision work is performed on the premises; that the minor auto repairs proposed herein and the non-automatic car washing is solely accessory to the gasoline service station use; that repairs and washing are a necessary adjunct to the service station use; and

WHEREAS, the applicant contends that the proposed extension will permit an improvement of the existing legal non-conforming conditions and will benefit the adjoining property owners; and

MINUTES

WHEREAS, the applicant states that the present owner has held title to the property since April 1, 1952; that the assessed valuation of land is \$5,000 and of the building \$5,500 making a total of \$10,500; that the building was erected in 1924; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the alteration of the lawfully existing gasoline station, constructed under N.B. App. 1735-24, substantially as proposed and indicated on plans filed with this application, marked "Received December 27, 1957," 1 sheet, and "July 9, 1958," 4 sheets, *on condition* that the existing office building shall be removed and the new accessory building erected of the design, arrangement and location shown on plans above cited, complying in all respects with the requirements of the Building Code, except that there shall be no cellar therein; that the use shall be as proposed in the new accessory building and the two rear buildings formerly granted as five-car garages; that the paving shall be repaired as may be necessary; that pumps shall be as proposed and those now 5 feet 5 inches from the building line may be continued, but if changed in design or arrangement shall be re-erected not nearer than 15 feet to the street building line; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that under the existing recorded easement, giving adjoining owners access over the property to reach their rear yards and garages, fences on the side lot lines maybe omitted, but if cancelled as to either side lot line fences of the chain link woven wire type not less than 5 feet, 6 inches in height shall be maintained along both building lines from the accessory building to within five feet of the street building line; that under Section 7i there may be minor repairing with hand tools only, maintained solely within the accessory building at the rear; and that all permits and a new certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

223-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Yetta Git, owner.

SUBJECT—Application April 11, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot presently occupied with a two story dwelling and three car garage, the use of the unbuilt upon portion of the premises for a parking lot for the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1785 Walton Avenue, west side, 109.17 feet south of East 176th Street, Block 2850, Lot 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 21, 1958 after due notice by publication in the Bulletin; and

Laid over to November 5, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Walton Avenue and Townsend Avenue are in residence and local retail use, B area, class 1¼ height districts; East 175th Street and East 176th Street are in a retail use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 9, 1958 acting on Alt. Applic. No. 259-58, reads:

"1. The proposed use of parking and storage for more than five motor vehicles is contrary to Article II Sec. 3 of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 47.87 feet frontage by 100 feet in depth, on which there is a two family dwelling 20 feet by 35 feet in size, two stories in height, and also a one story garage at the rear for three motor vehicles; that it is proposed to surface the portions needed, although most of the area is cemented, and any other conditions which the Board deems necessary will be complied with; that there is a substantial iron picket fence in front on the building line and a wood fence on the lot line, which will be augmented with a wire woven fence if the Board so desires; and

WHEREAS, the applicant states that the two story dwelling was erected in 1897; that later Alt. Applic. No. 34 of 1925 was approved for not more than five motor vehicles on the same plot, accessory to the dwelling; and

WHEREAS, the applicant contends that the owner resides in the building on the premises and has had many requests from neighboring tenants to obtain a parking space for their cars; that this section of the Bronx is exceptionally congested with large apartment houses and narrow streets and parked cars; that it is true that the plot is small and although five motor vehicles are permitted, the owner can put a few more cars on the plot; and

WHEREAS, the applicant states that the present owner has held title to the property since March 27, 1950; that the assessed valuation of land is \$11,500 and of the building \$2,000 making a total of \$13,500; that the building was erected in 1897; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the parking of cars within the unbuilt upon portion of the plot and to permit the storage of three cars in the 3-car accessory garage, substantially as proposed and indicated on plans filed with this application, marked "Received April 11, 1958," 3 sheets, *on condition* that the premises shall be leveled where parking is proposed substantially to the grade of Walton Avenue and there shall be erected along the building line to the west a curbing for protection to the court-yard of the adjoining multiple dwelling and on such curbing there shall be erected a woven wire fence of the chain link type, not less than 5 feet, 6 inches in height with suitable terminating post at the building line; that a similar fence shall be erected to the rear of the house along the building line and on the rear lot line where the three-car garage does not occur; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

297-58-BZ

APPLICANT—Lama, Proskauer and Prober, for A Joseph Fuchs, owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning

MINUTES

Resolution, to permit in a retail and residence use, D, F and G-1 area district, the erection of a six (6) story and cellar multiple dwelling to exceed the permitted area coverage, exceed the allowable area at terrace and typical floor level and has a pedestrian exit and fire escape in the G-1 portion of the premises.

PREMISES AFFECTED—190-05 Hillside Avenue, north side, 95 feet west of 191st Street (mapped) and 100 feet west of 191st Street, Block 10499, Lot 75, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and
and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 21, 1958 after due notice by publication in the Bulletin; laid over to November 5, 1958, for inspection and decision; applicant to submit measured drawings and a copy of the map of the Planning Commission showing the zoning as last adopted; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 188th Street and 191st Street are in residence and retail use, D, F, and G-1 area, class ½ height districts; Hillside Avenue is in a retail use, D area, class ½ height district; Palo Alto Avenue is in a residence use, G-1 area, class ½ height district; that as of July 25, 1916 the entire site was in a class 1 height district, and that part of the site within 100 feet of Hillside Avenue was in a business use district and a class C area district, and the balance of the site was in a residence use district and a class E area district; that on January 21, 1947 the present use designation for that part of the site within 100 feet of Hillside Avenue became effective; that on April 18, 1949 the present area designation of the parts of the site more than 100 feet distant to Hillside Avenue became effective; that on June 30, 1952 the present height designation and the D area designation of that part of the site within 100 feet of Hillside Avenue became effective; and;

WHEREAS, the records of the office of the President of the Borough of Queens, show that prior to November 17, 1949, 87th Drive appeared on the City Maps as a mapped street, between Hillside Avenue and Palo Alto Avenue, extending from 188th Street to 191st Street; that by action of the Board of Estimate (Calendar Number 112-B) dated November 17, 1946, 87th Drive, as mapped was removed from the City Map and laid out as a 50 foot street for a distance of 227.70 feet and 231.54 feet easterly of 188th Street then widened to a width of 90 feet to a total length of 365 feet; and

WHEREAS, the decision of the Borough Superintendent, dated April 24, 1958 acting on N.B. Applic. 897-58, reads:

"1M. The part of the proposed building in 'F' district exceeds allowable area at terrace level and at typical floor, same is contrary to Art. IV sub. 16(d) Zoning Res.

"2M. Floor area of proposed building exceeds the area permitted in that portion of the lot within the 'F' Zone. Art. IV Sub. Sec. 16(e) of the Zoning Res.

"3M. Pedestrian exit from garage ventilation of rear of building and fire escape projection in a G-1 district is contrary to Art. IV Sub. 16-C(a) of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 271.98 feet in depth, irregular, presently vacant; that it is proposed to erect a modern six story and cellar multiple dwelling, having a frontage of

105 feet 6 inches on Hillside Avenue and an overall depth of 194 feet; that the building will contain approximately 111 apartments and garage space for the tenants in the cellar, and will be of class 3 construction, provided with a fireproof first tier; that the building will set back 11 feet from the Hillside Avenue building line and will have a 21 foot wide side yard on the westerly side and 21 foot wide and 23 feet 6 inches wide side yards on the easterly side, all extending from the street to the rear yard, which will have an average depth of 67 feet; that the building will have a height of 60 feet measured from the top of a terrace, 3 feet above curb level; and

WHEREAS, the applicant states as to Objection 1M issued by the Borough Superintendent, that the Building Department interprets Section 16(d) of the Zoning Ordinance as follows:

Plot Area—D	District.....	14,902 sq.ft.
F	District.....	15,438 sq.ft.
G-1	District.....	10,072 sq.ft.

Total40,412 sq.ft.

Permissible Building Coverage

D	District 55% of 14,902 sq.ft.....	8,196 sq.ft.
F	District 30% of 15,438 sq.ft.....	4,604 sq.ft.
G-1	District—None allowed for a Multiple Dwelling	

Total12,800 sq.ft.

Proposed Coverage at Terrace Level

D	District Building.....	8,048 sq.ft.
F	District Building.....	8,638 sq.ft.
	Easterly side yard above terrace level.....	1,617 sq.ft.
G-1	District—None allowed for a Multiple Dwelling	

Total18,303 sq.ft.

Coverage in Excess at Terrace Level..... 5,503 sq. ft.

Proposed Coverage Typical Floor

D	District.....	8,048 sq. ft.
F	District.....	8,638 sq.ft.
G-1	District—None allowed for a Multiple Dwelling	

Total.....16,686 sq. ft.

Coverage in Excess at Typical Floor..... 3,886 sq.ft.

that while it is true that the D zone part of the site does not have excessive coverage, and the F zone part of the site is excessive in coverage as above shown, if the entire plot be taken into consideration as a unit, there will be no excessive coverage at the typical floor; that in fact, the building will occupy 142 square feet less than would be permitted, by combining all the allowable coverages as is shown in the following schedule:

Plot Area—D	District.....	14,902 sq.ft.
F	District.....	15,438 sq.ft.
G-1	District.....	10,072 sq.ft.

Total40,412 sq.ft.

Building Coverage as allowed with a Permissible Use

D	District 55% of 14,902.....	8,196 sq.ft.
F	District 30% of 15,438.....	4,604 sq.ft.
G-1	District 40% of 10,072.....	4,028 sq.ft.

Total16,828 sq.ft.

Proposed Coverage Terrace Level

D	District Building.....	8,048 sq.ft.
F	District Building.....	8,638 sq.ft.
	Easterly Side Yard being above terrace level...	1,617 sq.ft.
G-1	District (No Building)—required rear yard above terrace level	4,380 sq.ft.

Total22,683 sq.ft.

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Coverage in Excess at Terrace Level 5,855 sq.ft.

Proposed Coverage at Typical Floor

D District Building 8,048 sq.ft.

F District Building 8,638 sq.ft.

G-1 District—No Building

Total 16,686 sq.ft.

Coverage in Excess at Typical Floor NONE

that if the entire lot be considered as one unit, there is none in excess, and actually occupies 142 square feet less than allowable; that the excess coverage of 5,855 square feet, shown occurring at terrace level, is brought about by the rear yard and part of the easterly side yard being maintained above terrace level, but as close as possible to adjoining levels; that as these areas are to be landscaped, the adjoining properties would be better served by the proposed conditions than if these yards were brought to terrace level, thereby creating unsightly holes and retaining walls; that bringing these two yards down to terrace level, with the adjoining existing topography being higher, would create an unsightly condition and is not required under the Multiple Dwelling Law for the proposed multiple dwelling; and

WHEREAS, the applicant states as to Objection 2M issued by the Borough Superintendent, that as shown by the following table, the entire floor area is only 11,762 square feet in excess of the allowable, if the entire F and G-1 zones be used for floor area purposes; that it is to be noted that the Zoning Ordinance applies to the permissible floor area ratio to the area of the entire plot;

Permissible Floor Area Ratio of the Plot

D District—No floor area ratio restrictions

F District 15,438 sq.ft. in F Zone

G-1 District 10,072 sq.ft. in G-1 Zone

Allowable Total ... 25,510 sq.ft. x 1.6 = 40,816 sq.ft.

Proposed Floor Areas

D District—No Floor area ratio restriction

F District—1st to 6th Floors 51,828 sq.ft.

Cellar Apartment 750 sq.ft.

G-1 District—No Building

52,578 sq.ft.

Floor Area in Excess 11,762 sq.ft.

that the front 100 feet adjoining Hillside Avenue, being in a D zone, has no restrictive floor area ratio, and it is only requested that the balance of the site be accorded the same treatment, so that the entire plot can be treated in a logical manner; that in any event, the site has been in the same ownership since January 15, 1946, at which time the zoning was C zoning for the 100 feet adjoining Hillside Avenue and E zone for the balance of the site; that at said time there were no floor ratio limitations for a C zone, and the E zone allowed a floor ratio of 1.9 times the E zone area, which would be 25,510 square feet by 1.9, equals the allowable floor area ratio of 48,469 square feet; that the E zone part of the building would have a floor area of 30% of 25,510 square feet, or 7,653 square feet, and six floors would equal 45,918 square feet plus 750 square feet for the cellar apartments, which would be a combined total of 46,668 square feet, this being well below the allowable of 48,469 square feet; that therefore, the illogical rezoning in 1949 to an F and G-1 has produced a hardship; and

WHEREAS, the applicant contends that as above shown, the site in question is now divided into three separate area classifications, namely, D, F and G-1, which has produced a hardship; that if the history of zoning in this area be traced since its inception in 1916, it will be seen that the unusual shape of the block, making the site in question approximately 271.98 feet deep, could not lend itself to proper, feasible zoning for the site, and also give the adjoining areas the protection they were entitled to; that in 1916 the original zoning was set at C area for the part of the site within 100 feet of Hillside Avenue, as said 100 feet all along Hillside Avenue was in a business zone; that the remainder of the site and

the community 100 feet north of Hillside Avenue was placed in an E zone to give all of said adjoining community the added protection dwellings normally required; that therefore, the site being 271.98 feet in depth, it was bisected by this action because of its extreme depth and not to give the rear part of the site itself any added protection beyond C area requirements; that the zoning line, to be practical, had to be drawn in a straight line, and as most city lots are 100 feet deep, zoning lines generally are set 100 feet back of street frontages so as not to place one lot in several zones, as has happened to the site; that on April 18, 1949 the E zone part of the site was rezoned to F and G-1 to give additional added protection to all of the residential community 100 feet north of Hillside Avenue; that these zoning lines, again to be practical, had to be drawn in a straight line and not around the site in question which still had frontage on Hillside Avenue and said frontage was still in a C area business zone; that in other words, in order to protect the property on 87th Drive, south side, as an F zone and the property on 87th Drive, north side, and the homes on 191st Street, Palo Alto Avenue and Haywood Road with proper zoning and protection, as a G-1 zone, the zoning lines had to bisect the site due to its extreme depth created by the unusual shape of the block; that it is to be noted that the site has had its extreme depth of 271.88 feet since long before the Zoning Ordinance was enacted in 1916; and

WHEREAS, the applicant further contends that the erection of a multiple dwelling on the plot in full conformity with the Zoning Ordinance would limit its size to such an extent as to not reflect and utilize the high value of the land, and the building would therefore not be economically feasible; that the erection of one family dwellings on the site would not be feasible as Hillside Avenue is a business street, developed with a gasoline station and stores in block 10454 and stores in block 10455, which uses are opposite the site; that in addition, not more than three 1-family dwellings would be feasible, making the cost of the land prohibitive for one family dwellings of the low cost type that would have to be erected on this business street; that the erection of stores in the retail D zone part would leave approximately 171 feet in the residence zone vacant and therefore with no value, but the cost of the entire site would have to be absorbed by the stores, making the cost of said stores also prohibitive; that adjoining lot 72, which has a depth of 100 feet, has been assessed by the City at \$100 per front foot, and lot 92 on Hillside Avenue, in the same block and also 100 feet deep, has been assessed at \$160 per front foot and is a corner, which makes it more valuable; that the site in question has been assessed at \$265 per front foot, which would immediately indicate that it is worth more because it has greater depth; that therefore as shown, although the site has a greater value, the factor of its extreme depth giving it this greater value, cannot be used; that it is to be noted in all cases that the assessed value of the land is much below its selling price or true value; and

WHEREAS, the applicant contends as to Objection 3M issued by the Borough Superintendent, that the pedestrian exit from the rear of the cellar garage will be through the G-1 zone, but is only a secondary means of egress; that the ventilation of the rear of the building is through the windows at said rear; that the fire escapes are open, project 3 feet 4 inches into the G-1 zone at the rear and are required for secondary means of egress from the apartments of the upper floors; that the mere fact that a pedestrian might walk across the G-1 zone in an emergency, or having an apartment with a window adjoining said zone, can hardly be entertained as violating the Zoning Ordinance because said person might come from a multiple dwelling; that although the fire escapes do project 3 feet 4 inches into the G-1 zone, they will be approximately 64 feet from the rear lot line of the site, and the windows in question are approximately 67 feet 6 inches from said rear lot line; that it is impossible to see how said conditions could possibly affect the block, when said distance is greater in width than most city streets; that it is again to be stressed that no part of the proposed building proper will project into the G-1 zone; and

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WHEREAS, the applicant further contends that none of the adjoining properties in the block can be affected by the excessive coverage in the F zone, or the excessive floor ratio area, or the mere fact that a pedestrian might walk across the G-1 zone or open a window on said area, when the 67 foot rear yard and the two side yards, one 21 feet wide and the other 21 feet by 23 feet 6 inches wide, completely isolate the building and create a better condition than if a permissible building were erected in a permissible closer manner to these adjoining properties in the G-1 zone; that in any event the entire plot should be treated as a unit and the same treatment accorded the entire plot as would be allowed for the first 100 feet depth; that in view of these facts and as the Board, under Section 21 of the Zoning Resolution, has been given specific powers to vary the zoning ordinance where indiscriminate zoning has created a hardship, as has happened in this case, it is requested that this application be granted; and

WHEREAS, the applicant states that the present owner has held title to the property since January 15, 1946 and that the assessed valuation of land is \$40,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and the Committee has found that the plan adopted by the Planning Commission in 1950 discontinued the right of way across the property known as Foot Hill Terrace and the property is no longer affected by such former road; and the Committee found that in view of the provisions of the Zoning Resolution, which does not permit residential construction of any building in a G-1 zone except a single family house, that it would be reasonable to include such area of the proposed apartment house restricting the actual construction to the D and F areas; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the ground of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 as to extension in area, to permit the construction of the apartment house, substantially as proposed and indicated on plans filed with this application, marked "Received March 13, 1958", 6 sheets, *on condition* that the building shall be entirely within the d and f zones, except that entrance to cellar garage and fire escapes may extend over the line as shown on such plans; that steel picket fences on a masonry base shall be maintained along the lot lines where there are courts or open spaces including the entire area in the G-1 district which shall be landscaped and maintained for the benefit of the tenants with suitable planting and with play spaces for children; that the set back proposed along Hillside avenue shall be retained; that in all other respects the buildings and occupancy shall comply with all laws; rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 3:15 P.M.

Joseph J. Doyle, *Chief Clerk*.

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 5, 1958,
2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

925-54-A

APPLICANT—Clearview Gardens 1st through 6th Corporation, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket—Appeal from orders of the Fire Commissioner—re certificated men in boiler rooms.

PREMISES AFFECTED—160-22, 160-31 16th Avenue; 157-57, 157-58, 160-12, 160-35 and 163-66 17th Avenue; 166-30 17th Road; 168-18 18th Avenue; 199-48 19th Avenue; 199-17 and 199-50 21st Avenue; 199-19 22nd Avenue; 15-31 159th Street; 15-43, 16-16, 16-25, 17-08 and 18-11 160th Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200th Street; 16-14 163rd Street; 16-22, 17-34 and 17-63 166th Street; 16-24 200 Street; 17-28 201st Street; 19-32 and 21-36 202nd Street; 17-29 Utopia Parkway; 163-06, 163-45 and 164-28 Willets Point Boulevard and 158-14 and 160-32 Cross Island Boulevard; Block 4742, Lot 22, Block 4743, Lot 1, Block 4744, Lot 28, Block 4746, Lot 35, Block 4747, Lot 38, Block 4754, Lot 1, Block 4756, Lot 1, Block 4758, Lot 10, Block 4767, Lot 1, Block 5730, Lot 1, Block 5740, Lot 139, Block 5750, Lot 6, Blocks 5778, 5781, 5784 and 5787, Lot 1, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Louis E. Yavner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, Order #15863 issued by the Fire Commissioner; November 12, 1954, referring to premises 160-19 16th Avenue, 16-24 200th Street, 199-19 22nd Avenue, 21-17 Utopia Parkway and 21-36 202nd Street, reads:

"C-12—Have persons supervising fuel oil burning apparatus obtain certificates of fitness."

and

WHEREAS, Order Numbers 7439 to 7450 inclusive, issued by the Fire Commissioner, February 26, 1954, reads:

"An inspection of your premises this date show that the following violations of the Administrative Code of the City of New York have been found to exist:

7. Procure 3 Certificates of Fitness, totaling 3—Fuel Oil."

and

WHEREAS, the applicant states that the premises consist of acreage located in a residence use, D and F area, upon which there exist a series of masonette type 2 story, class 4 constructed, masonry veneered dwellings, erected pursuant to variances granted by the Board under Calendar Number 941-50-BZ and 942-50-A, for which buildings Certificates of Occupancies have been issued; and

WHEREAS, the applicant states that there are 33 boiler rooms, equipped with a total of 41 boilers, burning #6 oil, each equipped with a York Burner as approved by the Board under Calendar Number 56-36-SA, a Tuthill Pump approved by the Board under Calendar Number 60-28-SA, a Davis Engineering Company Pre-Heater as approved by the Board under Calendar Number 1097-48-SA; and

WHEREAS, the applicant again states that the boiler rooms will be inspected not less than once in each two hour period and the inspection schedule will be so arranged that no inspector will work more than one 8 hour shift per day, no more than 6 days, excepting holidays, per week; that the inspectors will alternate according to a schedule which will be posted in the office and kept available for inspection by the representatives of the Fire Department as indicated on the following schedule:

MINUTES

CORPORATION	BOILER RM.	ADDRESS	INSPECTORS
6 TH CORP.	A-1	158-14	CROSS ISLAND PKWY
	A-2	15-31	159 STREET
	B-5	16-16	160 ST.
	B-6	157-57	17 AVE.
	D-7	15-43	160 ST.
	D-10	160-32	CROSS ISLAND PKWY
	D-12	160-31	16 AVE.
	E-15	160-22	16 AVE.
	E-17	16-14	163 ST.
	E-19	160-35	17 AVE.
	E-21	16-25	160 ST.
5 TH CORP.	C-1	157-58	17 AVE.
	C-2	17-08	160 ST.
	F-3	18-11	160 ST.
	F-7	160-12	17 AVE.
	F-9	163-45	WILLETS PT. BLVD.
	H-10	163-01	17 AVE.
4 TH CORP.	J-1	164-28	WILLETS PT. BLVD
	J-3	16-22	166 ST.
	K-4	163-66	17 AVE.
	K-6	17-34	166 ST.
	K-10	163-06	WILLETS PT. BLVD
3 RD CORP.	L-3	17-63	166 ST.
	L-6	166-30	17 ROAD
	L-10	168-10	18 AVE.
2 ND CORP.	M-4	16-24	200 ST.
	N-6	17-28	201 ST.
	N-9	17-29	UTOPIA PKWY
1 ST CORP.	O-3	199-48	19 AVE.
	O-4	19-32	202 ST.
	O-8	199-50	21 AVE.
	O-9	21-36	202 ST.
	O-12	199-19	22 AVE.
	O-13	21-17	UTOPIA PKWY
	O-15	199-17	21 AVE

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	NAME		CERTIFICATE OF FITNESS N°
HEAD BOILER MAN	H. FLAHERTY°	A	M- 38935
1 ST CORP.	C. LINGLE°	B	M- 32587
	D. RUPP	C	M- 04028
2 ND CORP.	R. MORRIS	D	M- 50236
	B. JENNETTE	E	M- 49882
3 RD CORP.	G. LEE°	F	M- 19003
	M. GIOJA	G	M- 49990
4 TH CORP.	W. SANDS	H	M- 49886
	J. DE MATO	I	M- 35260
5 TH CORP.	J. PENDER°	J	M- 49887
	J. MANDRACCHIA	K	M- 49883
6 TH CORP.	F. WIDDICOMB	L	M- 49893
	J. BEGEN°	M	M- 40781

° - DENOTES MEN LIVING ON PREMISES.

EACH BOILER ROOM SHALL NOT BE INSPECTED LESS THAN
ONCE IN EACH 2 HOUR PERIOD AND NO INSPECTOR TO
WORK MORE THAN ONE 8 HOUR SHIFT PER DAY AND NOT
MORE THAN 6 DAYS (EXCEPTING HOLIDAYS) PER WEEK
ALL MEN WILL ALTERNATE SHIFTS. SCHEDULE TO BE
POSTED IN OFFICE FOR INSPECTION.

Woj Limbark

MINUTES

and
WHEREAS, the applicant has filed with this appeal an affidavit by licensed professional engineer stating that he is familiar with the requirements of the Administrative Code, the Oil Burner Rules of the Board and the resolutions of General Approval adopted by the Board, relating to equipment installed in the boiler rooms in question; that he has examined the plans filed with the Department of Buildings and has examined the installation in the various boiler rooms in question; that in his opinion the installations comply with all the requirements therefore; and

WHEREAS, the applicant states that the buildings consists of 82 garden type apartment buildings, containing 1788 dwelling units; that they are comprised of attached two-family class 4 dwellings, spread over 83 acres of land, with an average of less than one building or eleven attached two-family homes per acre; that the buildings are serviced by 35 central heating plants; that all heating plants except 2 use #6 preheated oil; and

WHEREAS, the applicant contends that the compliance with the requirements of Rule 15.2 of the Fuel Oil Rules of the Board, would require employment of 99 additional employees, holding Certificates of Fitness and would involve the large operating expense, not contemplated in the original estimate of carrying charges for these dwelling units as determined by the Federal Housing Administration and would seriously affect the financial condition of the cooperative owners; and

WHEREAS, the applicant states that all of the heating units have been equipped with standard safety devices as required by the Oil Burner Rules of the Board and by the Administrative Building Code; that in addition the following safety devices have been installed to comply with the intent of Rule 15.2; that each burner is equipped with an automatic modulating motor control, oil valve and connected to secondary air intake to obtain modulated fire control throughout the burner range; that all boiler rooms have been connected to a signal board in a central office by low voltage circuits leased from the New York Telephone Company; that these circuits are wired in each boiler room to an Ess-Smoke control indicator, which in turn, is connected to a designated alarm and signal light on the signal board located in the central office; that the safety switches for all burner shutdowns have been installed and hooked to these circuits in parallel; that the moment the boiler starts to smoke an alarm is sent to the central office, or if the boiler shuts down on safety, this alarm rings and flashes a signal in the central office indicating the specific boiler room in which a shutdown or smoking has occurred; that the response is immediate and a serviceman is dispatched to the boiler room where the trouble is indicated; that the central office is staffed at all times for these purposes; that in no event can a boiler room be smoking or shutdown on safety control without immediate knowledge and response by one or more competent servicemen holding a certificate of fitness; that the central office has 35 branch telephone circuits, one for each boiler room, so that if a mechanic is out on a service call and an alarm is signalled in another boiler room, he or others can be immediately dispatched to the scene of alarm for immediate service; that the owner now employs 3 superintendents, 1 boiler supervisor and 1 boiler mechanic, all residents of the project, holding certificates of fitness and are on 24 hour call; that the owner also employs 6 oil burner maintenance and service assistants; that the control or signal board as is manned 24 hours a day by a competent employee, who can contact any of the resident employees as may be required; and

WHEREAS, the applicant therefore requests by reason of the hardship imposed on them by the requirements for strict compliance with the Rule and in view of the safety devices installed, that the Board modify the Fire Commissioner's Orders, so as to accept the method of operation proposed, in lieu of strict compliance with the requirements of the Oil Burner Rules; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Fire Commissioner acting on Order #15863 dated Nov. 12, 1954, Item C-12 and Orders 7439 to 7450 Item #7, dated February 26, 1954 be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit, during the hours of operation of the boilers, inspection of each boiler room, not less than once each two hour period; that no inspector shall work more than one eight-hour shift per day nor more than six days a week, excepting holidays, in accordance with the above schedule *on condition* that such schedule shall be posted in the office and kept available for inspection by representatives of the Fire Department; that all of the safeguards described herein shall be maintained to the satisfaction of the Fire Commissioner; that the buildings shall otherwise comply with the requirements of all laws, rules and regulations applicable thereto except as modified by the Board under Calendar Nos. 941-50-BZ, 942-50-A, 480-51-BZ and 505-51-A; and *granted* only so long as the buildings remain in the present corporate ownership groups and are under single operation and control.

927-54-A—Vol. II

APPLICANT—Samuel Rosenblum for Alfred Brainard, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II —Appeal from a decision of the Borough Superintendent re: provision of exits and framing for live load of 120 pounds for 2nd story factory.

PREMISES AFFECTED—2042-2050 Amsterdam Avenue west side, from St. Nicholas Avenue to West 162nd Street, 1033-1039 St. Nicholas Avenue and 500-504 West 162nd Street, Block 2120, Lot 23, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Louis Karnaw.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 21, 1958, on Alt. Applic. 316/58, reads:

"1. Provide exits in compliance with Sec. 270 of the Labor Law from 2nd floor.

"2. Provide framing for a live load of 120 pounds per square foot for 2nd floor factory C26-345.0."

and

WHEREAS, the applicant states that the building is 2 stories, 29 feet in height, 167 feet 11 $\frac{3}{8}$ inches by 100 feet in area at 1st floor, 167 feet 11 $\frac{3}{8}$ inches by 53 feet in area at 2nd floor, of class 3 construction, erected 1906, located on a lot in a business and residence use, B area, class 1 $\frac{1}{2}$ height district, and used and occupied since 1954 as follows: Cellar—boiler room and storage of store merchandise, 2 persons; 1st floor—stores, 52 persons; 2nd floor—offices, show rooms and manufacturing of eye glass cases, leather belts, lamp shades and ladies hats, 40 persons; that no change in use and occupancy is now proposed; that the building is provided with one interior 6 foot 4 inch wide wood stairs with cement treads, enclosed in fire retarded partitions, equipped with fireproof self-closing doors and leading from 2nd floor direct to street and 2 fire escapes, one in the east and one in the west courts, extending to roof by ladder in the west court and to street by stair from the west court; that the other fire escape extends to yard by stair with egress direct to street; that window and door openings on the course of the fire escapes are fireproof self-closing; and

WHEREAS, Violation #1593 was issued March 9, 1954 for changing the use of the 2nd floor to manufacturing contrary to certificate of occupancy; and

WHEREAS, Certificate of Occupancy #5662 issued December 22, 1922 against Alt. Applic. 1006/22 permits the following use and occupancy: Cellar—storage, 10 persons; 1st

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floor—stores, 52 persons, 120 lbs. live load; 2nd floor—offices, 33 persons, 60 lbs. live load; and

WHEREAS, the applicant states that the cellar is equipped with non-automatic dry sprinkler system installed in accordance with the requirements of the Resolution adopted by the Board under Calendar Number 1689-18-A; and

WHEREAS, under Calendar Number 738-22-BZ, the Board of Standards and Appeals permitted the extension of the 1st story into the residence use district at the rear approximately 38 feet; and

WHEREAS, the portion of the building now in question consisting of the 2nd floor only lies wholly within the business use district portion of the plot; and

WHEREAS, under Calendar Number 927-54-A, Volume I, a similar appeal was filed with the Board, from a decision of the Borough Superintendent, on Alt. Aplic. 586/54 relating to exits and live load and such appeal was dismissed for lack of prosecution December 18, 1956; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions, among which will be the requirement that there should be a counterbalanced stair at the street line toward the south, and in the yard space toward the west in place of the existing stair or ladder.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. App. 316-58, Objection No. One and two and that the appeal be and it hereby is *granted, on condition* that there shall be constructed and maintained a counterbalanced stair at the street line on Amsterdam Avenue and at the end of the corridor at the yard in place of the existing sixty degree stair; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that the floor loading shall be not less than sixty pounds per superficial foot, and so posted; and that there shall be no use of the premises exceeding such loading.

729-57-A

APPLICANT—The Brooklyn Union Gas Company, owner.
SUBJECT—Application October 8, 1957—Appeal from an order and a decision of the Fire Commissioner re testing of liquefied Petroleum Gas tanks.

PREMISES AFFECTED—287-473 Maspeth Avenue and 438 Varick Avenue, northeast corner, Block 2838, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: L. A. Hunziker and W. E. Tate.

For Administration: Lt. John P. Manfredi, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3

Negative: 0

Not Voting: Commissioner Kleinert 1

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, Order #3765-7 issued by the Fire Commissioner, May 29, 1957 reads:

“Inspectors of this Department report that hazardous conditions were found to exist at the above premises. Kindly comply, immediately, with the following order and promptly notify this Department when such order has been complied with.

1. Submit evidence to this office that the low pressure receiver has been given a 5 year pressure test, at not less than twice the charging pressure of 70° Fahrenheit, unless such test pressure should exceed 300 pounds, in which case the test pressure shall be not less than $1\frac{2}{3}$ times the charging pressure at 70° Fahrenheit for 15 minutes, as per Section C19-91.0-c, Administrative Code.

and

WHEREAS, the decision of the Fire Commissioner, dated September 11, 1957, reads:

“In reply to your letter of June 25, 1957 requesting permission to test liquefied petroleum gas tanks on the above premises once every 15 years instead of every 5 years and to rescind order #3765-7 dated May 29, 1957, please be advised that your request is denied for the reason that original approval of the installation required that tanks be tested every 5 years. It is also expected that the rate of corrosion and probability of failure will increase with the age of the tanks.”

and

WHEREAS, the premises consists of a plot 2011.63 feet front by 1997.69 feet irregular in depth, in an unrestricted use, A area, class $1\frac{1}{2}$ height district, used and occupied for the manufacturing and storage of illuminating gas, including the twenty eight 30,000 gallon butane, propane and iso-butane storage tanks now in question which were installed by permission of the Department of Marine and Aviation; and

WHEREAS, in addition to the tanks in question, there are various tanks for the storage of volatile and inflammable oils and liquids, including motor fuel and gas oils and additional tanks for the storage of liquefied petroleum gas as permitted by the Board to be installed, pursuant to Calendar Numbers 762-56-A, 147-56-A, 58-46-A and 1301-39-A; and

WHEREAS, the applicant states that this is a request for modification of the Fire Commissioner Order, so as to permit the testing of tanks once every 15 years in lieu of the testing once every 5 years, as required by the Order and the Provisions of the Administrative Code; and

WHEREAS, the applicant contends that none of the Codes used as a basis for designing and operating liquid propane gas systems require any pressure testing after the initial testing at the time of installation; that the 28 tanks in question were given a pressure test and an internal inspection in 1952 after 5 years of service and were in excellent condition; that after 10 years of service in April 1957, 6 of the tanks were retested and were given an internal inspection, which revealed the tanks in very excellent condition; that no pitting whatsoever was observed in any of the tanks and the interior surfaces were only partly covered by light powdery dust, mostly due to the deterioration of the mill scale which brushed off readily by hand leaving a smooth surface on the metal underneath; that where no pitting was found in 1952 faint traces were found in 4 of the tanks in 1957, because the degree was too small for measurements; that the corrosion was estimated to have a maximum depth of .002 inches; that this is so insignificant that it can be discounted; that 14 of the tanks were constructed of grade “B” fire box quality steel; that the side plates are .938 inches thick and the heads are .750 steel; that the other 14 tanks were constructed under the same Code of similar material, except that the side plates are .96 inches thick and the heads .764 inches thick steel; that theoretically for the maximum working pressure with a 4 to 1 safety factor, the shells and heads could pit or rot to $\frac{1}{4}$ of their present thickness before rupturing; that for the minimum thickness of plate required, rusting and pitting could take place to the extent of 281 times the maximum depth experienced in the first 10 years of operation before rupture; that the gases stored have no corrosion effect on metals; that the greatest factor for the promotion of corrosion are water and oxygen that enter the tank during the periods of tests and inspections; that the condition of the tanks after 10 years service is similar to what others in the industry report on their tanks after 15 years of internal inspection; that the consensus of opinion in the industry is that inspection is of more value than pressure testing; that such inspection should be done no more frequently than 15 years intervals; and

WHEREAS, the applicant states that it is proposed to pressure test 6 tanks every 5 years with no one tank being tested less frequently than once every 5 years; that should the testing show corrosion infringing too far on the factor of safety, the Company will gladly revert to testing once every 5 years; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal

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should be granted on condition to reduce the required time for tests.

Resolved, that the decision of the Fire Commissioner dated May 29, 1957, acting on Order #3765-7 be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to time of test to provide that after all of the tanks have been tested within the period of fifteen years from the time that they were installed, that future tests shall be within ten years from such inspection and thereafter at five year intervals; that in all other respects the tanks shall be maintained in accordance with the requirements of the Fire Commissioner.

213-58-A

APPLICANT—Lama, Proskauer and Prober, for Barney Tall, owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re frame building—public occupancy, egress, live load.

PREMISES AFFECTED—595 Saratoga Avenue, east side, 56 feet, 5½ inches north of Sutter Avenue, Block 3515, Lot 74, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated March 26, 1958, on Alt. Applic. 3841/57, reads:

"2—Proposed public occupancy within a frame building is contrary to Sect. 4.2.1 of the Bldg. Code.

3—Means of egress to comply with Section C-26-273 to C-26-292 of the Bldg. Code.

4—A live load of 100 lbs. per square foot is required for 2nd floor as per 7-3-2-2-3 of the Bldg. Code."

and

WHEREAS, the applicant states that the premises consist of a lot 18 feet 2¾ inches by 50 feet, located in retail use, C area, class 1 height district, upon which there exists a 2 story, 24 feet high, class 4 construction, 18 feet 2¾ inches by 42 feet in area, erected before 1915, used since 1938; Cellar—ordinary; 1st floor—store; 2nd floor—one family, for which Certificate of Occupancy #91242 was issued against Alt. Applic. 5376/38; and

WHEREAS, the applicant states that the present and proposed use and occupancy is: Cellar—ordinary; 1st and 2nd floors—social club, 40 persons each floor; that the building now has a legal business use of "Store" on the 1st floor and inasmuch as the present use is of a non-hazardous nature, it is respectfully requested that the frame building be accepted for occupancy as a Social Club; and

WHEREAS, the applicant states that the 2nd floor is now provided with one 3 foot wide wood stair leading to the 1st floor and thence to the street by two 3 foot wide exit doors; that as a second means of egress a 3 foot wide balcony with an iron ladder will be installed on the front of the building; that a new scuttle and iron ladder will also be installed leading to the roof; that this floor will only be occupied by 40 men, so that exits are deemed acceptable; that the 1st floor is now provided with two 3 foot wide exits leading directly to the street; that the 2nd floor will have a posted floor load of 40 lbs. per square foot and will have a maximum occupancy of 40 men; that in view of the facts it is requested that this application be granted; and

WHEREAS, the premises was inspected by a committee of the Board; and

WHEREAS, this was laid over as to the matter of floor load.

Resolved, that the decision of the Borough Superintendent, dated March 26, 1958, acting on Alt. App. 3841-57, Objections 2, 3 and 4 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the oc-

cupancy as proposed within the frame building shall not exceed the area indicated on plans filed with this appeal marked "Received April 8, 1958", 3 sheets; that the building shall not be increased in height or area; that the means of exit shall be maintained as proposed on such plans; that specifically as to Objection 4 the floor loading condition shall be improved by the introduction of columns in the cellar and first floor as shown on revised plans marked "Received October 30, 1958", one sheet, thereby reducing the span by means of the introduction of girder front to back resting on such columns; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

590-58-A

APPLICANT—Leonard F. Rothkrug, for 512 Fulton Street, Corp., owner; J. W. Mays, Inc., lessee.

SUBJECT—Application October 9, 1958—Appeal from a decision of the Borough Superintendent, re proposed escalators, cellar to 3rd floors.

PREMISES AFFECTED—263-273 Livingston Street and 22-30 Hanover Place, northwest corner, Block 160, Lot 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4
Negative: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 5, 1958, on Alt. Applic. 2648/58, reads:

"1) Proposed open escalators from cellar to 3rd floors, is contrary to sect. 10.5.1 of the Adm. Code."

and

WHEREAS, the applicant states that the building is 3 stories, 43 feet 6 inches in height, 120 feet front by 100 feet in area, class 3 construction, erected 1928, located in a business and restricted retail use, B area, class 2 height district, and used and occupied since 1928 as follows: Cellar—ordinary use; 1st, 2nd and 3rd floors—furniture store; that it is proposed to be increased to 4 stories without any change in height, of class 3 construction and to be used and occupied as follows: Cellar—retail sales and stockroom, 250 persons; 1st floor—retail sales, 400 persons; 2nd floor—retail sales, 200 persons; 3rd floor—retail sales, 200 persons; 4th floor—retail sales and storage, 200 persons, and equipment room; that the building is provided with two-source sprinkler system and an approved fire alarm system and regular monthly fire drills are maintained; that there is one 3 foot 8 inch wide interior steel and concrete stairs, enclosed in cinder block partitions, equipped with fireproof self-closing doors and leading from roof bulkhead direct to street; and

WHEREAS, Certificate of Occuancy #51260 was issued June 25, 1926 against Alt. Permit #873/28, permitting the existing use and occupancy; and

WHEREAS, the occupant states that the building was erected under N.B. Applic. 7175/26 for use as a furniture store and now being altered for use as a retail department store, under approved Alt. Applic. 2648/58; that it is proposed to further alter the building, so that escalators can be installed; that the escalator from cellar to 1st floor is now being installed under the approved alteration application; that the balance of the escalators proposed will be installed in the future; and

WHEREAS, the applicant states that additional exits will be provided for horizontal openings in the firewalls protected with fireproof sliding self-closing doors; that in addition a 3 foot 8 inch fireproof stair from roof bulkhead to Hanover Place will be installed; that the building will be altered to 4 stories, 49 feet 9 inches in height, so that the floor levels will be the same as adjoining buildings; and

WHEREAS, the applicant states that under Calendar Number 366-29-A, the Board permitted the omission of a stand-pipe system in the building; and

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WHEREAS, the applicant states that it is proposed to install a two source approved type sprinkler system in view of the standpipe system; and

WHEREAS, the applicant contends that the proposed escalators will be constructed of fireproof materials throughout; that the sides of the well openings and soffits will be of plaster on metal lath and metal furring; that there will be a fireproof balustrade finished with plaster on both sides and the well opening to be provided with a rolling shutter in a horizontal position at the top of the balustrading, manually operated; that the well openings below will be protected by plaster baffle 24 inches below the general ceiling level and protected by automatic sprinkler heads, approximately 4 feet on centers around the perimeter of the well opening; that an automatic electrical device will be installed to stop the operation of the escalator upon closing of the shutter; that where sprinkler heads are closer than 4 feet, a metal reflector will be installed at each head to prevent water cooling; that the rolling shutters at the top of each opening will be of approved type, readily operated by hand by means of a chain with crank mechanism, permanently secured by a heavy ring to the bottom rail of the shutter and supported on brackets, so as to be at all times readily available; that the chain will weigh not less than $\frac{1}{4}$ lb. per running foot; that on all shutters directly above the bottom rail there shall be painted in red letters not less than 3 inches in height, the words "CLOSE SHUTTER TO FLOOR" with an arrow pointing downwardly; that a gong will be installed at each escalator run, operated by means of push button, centrally located, two to a floor, so that the pushing of any such button will ring gongs on both floors as a signal to close the escalator curtains; that instructions will be given to all superintendents and section managers to include in addition general instruction as to the use of fire extinguishing equipment and exits, instruction and monthly drills as to closing escalator curtain, so that the responsibility will at all times be fixed on the attendants on the floors, to the end that curtains are immediately closed upon the sounding of the gong signal and the closing of curtains will automatically stop all escalators; and

WHEREAS, the applicant further contends that the proposed escalators are typical for department stores of this nature and are required for the convenience of patrons; that the safeguards proposed are the same as those accepted by the Board under similar appeals; that in addition, the owner is proposing to install an interior fire alarm system.

Resolved, that the decision of the Borough Superintendent, dated October 5, 1958, acting on Alt. App. 2648/58, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* to permit the construction and use of open escalators from cellar to third floor, protected as proposed and as indicated on plans filed with this appeal marked "Received October 9, 1958," 11 sheets; that in the event the owner desires to construct these escalators at different times, such construction may be permitted provided the requirements of this resolution are complied with; that additional exits shall be maintained and fire alarm as proposed and that in all other respects the building and occupancy shall comply with all requirements therefor, and the two source sprinkler system shall be maintained in accordance with the requirements and to the satisfaction of the Fire Commissioner.

789-55-A—Vol. II

APPLICANT—Columbia Pictures Realty Corp., for Prentice Development Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent;—re removal of sprinkler heads and pipes, previously granted on condition.

PREMISES AFFECTED—711 Fifth Avenue, northeast corner of 55th Street, Block 1291, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Lawrence C. Gebbs and Garrison King.
ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

974-57-A

APPLICANT—Simeon Heller and George J. Meltzer, for 172nd Street Realty Corp., owner; Eutectic Welding Alloys Corp., lessee.

SUBJECT—Application November 29, 1957—Appeal from a decision of the Borough Superintendent, re Class 3 construction, increase in area of building.

PREMISES AFFECTED—40-40 172nd Street and 171-20 Station Road, block bounded by 172nd Street, Station Road, Auburndale Lane and 42nd Avenue, Block 5351, Lot 1, Auburndale, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Rothkrug.
ACTION OF BOARD—Appeal withdrawn at request of applicant, owner not intending to proceed.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Jules Greene.
ACTION OF BOARD—Laid over to Nov. 25, 1958, at 2 P.M. for further consideration after applicant has corrected his statement and explained in a letter to the Board, with plans if necessary, what is proposed as to occupancy of the building, reconditioning of the sprinkler system and second exit from cellar; and for decision; hearing closed.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

APPEARANCES—

For Applicant: Bernard J. Sheftman.
ACTION OF BOARD—Laid over to November 25, 1958, at 2 P. M., for further inspection and decision; hearing closed.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side of, 237 feet East of Clinton Street, second floor. Block 250, Lot 13. Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to November 12, 1958, at 2 P.M., applicant to file revised plans as to exit; hearing closed.

416-58-A

APPLICANT—Leonard F. Rothkrug, for Frank Debski, owner.

SUBJECT—Application June 26, 1958—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 172 of the Multiple Dwelling Law re minimum dimensions of yards, etc.

PREMISES AFFECTED—45 University Place, east side, 84 feet north of East 9th Street, Block 561, Lot 3, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Frank Debski.

ACTION OF BOARD—Laid over to November 25, 1958, at 2 P. M., for inspection and decision; hearing closed.

191-33-BZ

APPLICANT—Samuel Rosenblum, for Freda E. Merkel, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—West side of Sutphin Boulevard, Lakewood Avenue to Shore Avenue, Block 1144, Lot 12, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 19, 1933, on certain conditions; and

WHEREAS, the term of variance was extended from time to time and last extended on November 16, 1948; and

WHEREAS, the resolution was amended from time to time and last amended on February 26, 1952; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 26, 1952 only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

“... granted under Section 7, Subdivision f for a temporary term of 10 years from the date of this *amended* resolution, to permit.....; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of the *amended* resolution.” (N.B. App. 720/33 and Misc. Appl. 1769/51)

212-35-BZ—Vol. III

APPLICANT—Frederick A. Ketcher for Maria DePalma, owner; Rayco Auto Seat Covers Inc., Lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the

Borough Superintendent; previously granted on condition, under sections 7b, 7c, and 7A of the Zoning Resolution, to permit on a plot partly in a business use and partly in a residence use district, the extension of the use of display, sales, storage and installation of auto seat covers to include minor motor vehicle repairs with hand tools limited to the installation and service of mufflers and tailpipes, and the extension of the parking of more than five (5) motor vehicles for patrons only from the business portion into the residence portion with a business entrance within 75 feet of a residence use district.

PREMISES AFFECTED—6501-6509 Fort Hamilton Parkway and 948-962 65th Street, southeast corner, Block 5750, Lot 42, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III, on July 29, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 29, 1958, by adding thereto:

“sign may be as permitted by the Borough Superintendent where lawful in the business use district.”

422-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Tall Trees Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7A of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, car wash, non-automatic, minor auto repairs, office and storage and sales, parking and storage of more than 5 motor vehicles with show windows within 75 feet of a residence zone.

PREMISES AFFECTED—697-705 6th Avenue and 305-313 21st Street, northeast corner, Block 892, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on November 26, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 26, 1957, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 646/57)

MINUTES

55-45-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Paul Sciutella, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired September 28, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, for a term of years, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, motor vehicle repair shop and storage and sale of ice.

PREMISES AFFECTED—51-65 Kingsland Avenue (51-61 displayed), 271-275 Withers Street, northwest corner and 101-113 Woodpoint Avenue, Block 2866, Lots 37-40 inclusive and 43, 44 and 45, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II, on September 28, 1948, on certain conditions; and

WHEREAS, plans submitted as being in substantial compliance with the Board's resolution, were approved on April 26, 1949; and

WHEREAS, the resolution was amended from time to time and last amended on July 24, 1951; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 24, 1945, amended by resolutions adopted through September 28, 1958 and April 26, 1949, only so far as it refers to the term of the variance, so that as *amended*, this portion of the resolution shall read:

"... granted under Section 7, Subdivision f for a term of 10 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that a new certificate of occupancy, shall be obtained." (Alt. App. 468/53 and N.B. App. 4/45)

183-48-BZ—Vol. II

APPLICANT—John F. Fitzsimons, for Glen Oaks Shopping Center, Inc., owner. Supreme Super Markets, Inc., Lessee.

SUBJECT—Application for consideration—reopening for amendment of the resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting the extension of a business use district (stores, bank and theatre) into the residence use district and under section 7e of the Zoning Resolution, permitting the proposed erection and maintenance of a gasoline service station for a term of 15 years and under section 7h of the Zoning Resolution, permitting the proposed extension of the parking of more than five motor vehicles into the residence use district and under section 21 of the Zoning Resolution as a temporary variance as to extension of area pending approval of new street layout by Board of Estimate.

PREMISES AFFECTED—West side of Union Turnpike, from 255th Street to 260th Street, Block 8512, Lots 55-115 and Block 8513, Lot 1; Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 29, 1948, on certain conditions; and

WHEREAS, plans submitted as being in substantial compliance with the Board's resolution, were approved on February 8, 1949; and

WHEREAS, working drawings were approved on February 8, 1949, as being in substantial compliance with the Board's requirements; and

WHEREAS, the resolution was amended on February 15, 1950; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 29, 1958 by adding thereto:

"that there may be constructed and maintained, an extension to the building at the rear storage room for garbage as shown on revised plans marked, "Received October 14, 1958," and as passed on by the Borough Superintendent under Alt. Appl. 1782/58, Objection No. 1, dated October 3, 1958, *on condition* that in all other respects the requirements of the resolution above cited shall be complied with; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

(This is in lieu of a new application as proposed.)

294-49-BZ

APPLICANT—Paul Friedman, for John B. Mamrow and Arthur C. Mamrow, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 29, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a business use C area district, the construction of a United States Post Office, Finance Station, by permitting part of unbuilt portion of Lot 36, which is proposed to be added to Lot 34, in excess of the area permitted; also permitting reduction of size of Lot 36 so that existing building will exceed the area coverage permitted.

PREMISES AFFECTED—6002 (6002-6004 displayed) 4th Avenue and 372-380 60th Street, southwesterly corner and 6004 4th Avenue, west side, 25 ft. south of 60th Street, Block 5781, Lot 34, and part of Lot 36, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Levine.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION:

WHEREAS, this application was granted by the Board on July 19, 1949, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on October 29, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

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Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 19, 1949 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that work has been completed as to the Post Office, but not as to additional work at 6006 Fourth Avenue, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 1535-48 and 1536-48)

33-53-BZ

APPLICANT—Lama, Proskauer and Prober, for John R. Raguson, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance, which has expired October 27, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7A of the Zoning Resolution, to permit in a residence and business use district for a term of five years the use of premises as an iron shop and for scrap iron storage in open, with a business entrance nearer to residence use district than is permitted; and to permit the existing uses of stores, toy manufacturing and two families each in two buildings.

PREMISES AFFECTED—289 22nd Street and 700-704 Sixth Avenue, northwest corner, Block 897, Lots 41 and 45, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION:

WHEREAS, this application was granted by the Board on October 27, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 12, 1955; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 27, 1953, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision e for a term of 5 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 3109/52)

219-55-BZ

APPLICANT—Max Horn, for Tru-Art Aluminum Grille Company, Inc.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired October 22, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7a of the Zoning Resolution, permitting in a retail use district, the occupancy of a frame building for a factory use, manufacture of aluminum grille doors.

PREMISES AFFECTED—217-03 Merrick Boulevard, north side, 146 feet west of 218th Street, Block 12956, Lot 36, Springfield, Borough of Queens.

APPEARANCES—

For Applicant: M. Horn.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 20, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 22, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 20, 1956, and as thereafter *amended* by resolution adopted on October 22, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 2506/54)

664-55-BZ

APPLICANT—Joseph Fierro, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete, which has expired September 24, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, to permit in a residence use and E-1 area district, the erection of a two family dwelling and a two car garage with less than the required setback on the street and covering more than the permitted area.

PREMISES AFFECTED—1421 Pelham Parkway North, and 2201-2207 Morgan Avenue, northwest corner, Block 4384, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Fierro.

ACTION OF BOARD—Application reopened, resolution amended and time to complete extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 24, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 24, 1957, by adding thereto:

"that a full cellar may be constructed in place of the three-quarter cellar previously proposed on the plan, as now shown on revised plans marked 'Received October 15, 1958', 1 sheet, and as passed on by the Borough Superintendent under N.B. 721/55, objection dated October 6, 1958'; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."

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360-56-BZ

APPLICANT—Lama, Proskauer & Prober, for Fred and Jennie Confessore, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7a of the Zoning Resolution, permitting in a business use district, the extension of the present use of auto wrecking, storage and sale of auto parts.

PREMISES AFFECTED—357-359 Shepherd Avenue, east side, 85 feet north of Glenmore Avenue, Block 3989, Lots 1 and 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 21, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on November 26, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 21, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 814/56)

708-56-BZ

APPLICANT—James E. Vassalotti, for Charles M. Krebs, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, store, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—248-02 to 248-10 (248-06 official), Sunrise Highway and 139-11 to 139-19 Hook Creek Boulevard, southeast corner, Block 13623, Lot 3, Rosedale, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 26, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 26, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 3065/56)

36-57-BZ

APPLICANT—Julius S. Rapson, for Ben D. Pivo, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, to permit in a business use district, the erection of a one-story extension to the existing automobile paint shop, with paint spray booth and infra-red bake unit to be used as an auto body and fender repair shop and the parking of more than five (5) cars for patrons only.

PREMISES AFFECTED—105-06 Sutphin Boulevard, southwest corner of 105th Avenue, Block 10056, Lot 12, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Julius S. Rapson.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 13, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 13, 1958, by adding thereto:

“that the use of the building may include in addition to motor vehicle repairing and parking as proposed and indicated on plans filed, an automobile paint shop with approved type paint spray, infra-red baking unit and approved as an auto body and fender repair shop; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. 1114/56)

69-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Northern Auto Laundries, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7h of the Zoning Resolution, permitting in a business and residence use district, the extension of the present auto laundry, office and open parking lot for more than 5 motor vehicles to include the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs and office and sales for the stated term of 15 years.

PREMISES AFFECTED—150-02 to 150-10 Northern Boulevard and 37-01 to 38-03 150th Street, southeast corner, Block 5032, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

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ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 19, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 19, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 4606/56)

128-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Utica Flatlands Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection of a modern supermarket and four adjoining stores, one story height and the parking of motor vehicles for patrons only.

PREMISES AFFECTED—78-06 to 78-18 Linden Boulevard, south side from 79th Street to Sapphire Street, 137-02 to 137-18 79th Street and 137-01 to 137-19 Sapphire Street, Block 11384, Lot 1, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 19, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 19, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 4354/56)

ming pool, cabana (bath house) and lavatory erected within ten (10) feet of the rear and side yard lines.

PREMISES AFFECTED—4530 Fieldstone Road, east side, 85.18 feet north of West 245th Street, Block 3415, Lot 207, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard Feldman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 29, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 29, 1958 by adding thereto:

“that the masonry wall extending from the cabana building northerly need not be removed provided all other requirements of the resolution above cited shall be complied with.” (N.B. 1997/57)

629-57-BZ

APPLICANT—Fred C. Dahlem, for Anton Kladde, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, with the accessory uses of car wash, lubritorium, sale of accessories, office parking and storage of more than five motor vehicles and auto repairs with hand tools.

PREMISES AFFECTED—1805 Washington Avenue, southeast corner of East 175th Street, Block 2907, Lot 33, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Ronald Stucker.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 24, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 24, 1958, by adding thereto:

“that the size and location of the accessory building may be as proposed on revised plans marked, ‘Received October 14, 1958,’ one sheet, and in all other respects the resolution above cited shall be complied with.” (N.B. 897/57)

400-57-BZ

APPLICANT—Leonard Feldman, for Allan Shedlin, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a “G” area district, the continuance of the existing swim-

24-34-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for D & S Holding Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution,

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permitting the extension from a business district into a residence district of a proposed theatre and store building.
PREMISES AFFECTED—3117-3127 Surf Avenue, northeast corner of West 32nd Street, Block 7049, Lot 51, Borough of Brooklyn.

APPEARANCES—

For Applicant: Anthony Salvati.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

1478-39-BZ—Vol. II

APPLICANT—Albert Thompson, for Hillside Jamaica Home Building Co., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, for a term of two years, permitting in a business use district, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—175-01 to 175-65 Hillside Avenue, northeast corner of 175th Street, Block 927, Lot 1 and parts of Lots 3, 16 and 18, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: James T. Bredin.

ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

950-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Waldwin Holding Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously withdrawn as Vol. II, Vol. I granted on condition, to permit in a residence use district, the proposed change of occupancy on the second and attic floors, from dwelling to business use.

PREMISES AFFECTED—7610-7618 4th Avenue, west side, 59 feet south of 76th Street, Block 5950, Lot 47, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened as Vol III subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

491-50-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Fae Velardi, owner; Cropsey Auto Service, lessee.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7h of the Zoning Resolution, permitting in a residence use district, the existing

gasoline service station as extended to corner and beyond the legal limitation and permitting the addition of parking and storage of motor vehicles on unbuilt upon portion of lot.

PREMISES AFFECTED—2335-2353 Cropsey Avenue, northeast corner of Bay 34th Street, Block 6889, Lot 9, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened as Vol II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

649-56-BZ

APPLICANT—Henry Nordheim, for Ignazio Arnone, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired July 23, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7b, 7c and 21 of the Zoning Resolution, to permit in a residence and unrestricted use district, the erection of a one story non-storage garage.

PREMISES AFFECTED—911 Sackett Avenue, north side, 94 feet east of Bronxdale Avenue, Block 4058, Lots 25 and 26, Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

ACTION OF BOARD—Application reopened and set for hearing on December 2, 1958, at 10 A.M., subject to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent, which has been filed, and two publications in the Bulletin; time to complete having expired on July 23, 1958.

THE VOTE:

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

746-38-SA—Vol. II

APPLICANT—John Wood Company, Bennett Pump Division, owner.

SUBJECT—Application for consideration—reopening for report as to additional models—re Models 725, 725D, 725-Code 126, 725D-Code 126, 782 and 792, Bennett Pumps for Motor Fuels, Models 748, 749, 548 and 549; previously approved.

ACTION OF BOARD—Application reopened for report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

1013-47-SM

APPLICANT—Porete Mfg. Company, owner.

SUBJECT—Application for consideration—reopening for report as to additional size plank—re Porex Plank Roof Deck, 2 inch and 3 inch Planks; previously approved.

APPEARANCES—

For Applicant: Michael Neess.

ACTION OF BOARD—Application reopened for report as to additional size plank.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

650-52-SA

APPLICANT—Beltran Associates, Inc., owner.

SUBJECT—Application for consideration—reopening for report as to additional use of oven—re Drying Tunnels Coordinated with direct fired air heaters; previously approved.

APPEARANCES—

For Applicant: E. Goldstein.

ACTION OF BOARD—Application reopened and restored to docket for report as to additional use of oven.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

731-52-SM

APPLICANT—Wall Trends, Inc., Agent; Hellermann's, owner.

SUBJECT—Application for consideration—restoration to docket for test and report—re Linkrusta, wall coverings; previously dismissed.

APPEARANCES—

For Applicant: Richard Tashman.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

862-54-SA

APPLICANT—John Wood Company, Bennett Pump Division, owner.

SUBJECT—Application for consideration—reopening for added models—re Models 1052, 1053, 1062, 1063, 1072, 1073, 1082 and 1083 Gasoline Dispensers, Models 170, 172 and 173 Submerged Gasoline Pumps, Bennett Pumping Unit, Model 70 and Bennett Island Dispensers, Models 952, 953, 962, 963, 972, 982, 973, 748RC and 749RC; previously approved.

APPEARANCES—

For Applicant: John Medel.

ACTION OF BOARD—Application reopened for report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

248-56-SA

APPLICANT—The Wayne Pump Company, owner.

SUBJECT—Application for consideration—reopening for report as to added models—re Wayne Power-Operated Discharge Device, for dispensing gasoline, Models 90 and 90X; previously approved.

APPEARANCES—

For Applicant: Donald A. McCutcheon.

ACTION OF BOARD—Application reopened for report as to additional models.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

996-57-SM

APPLICANT—The Borden Chemical Co., The Borden Company, owner.

SUBJECT—Application for consideration—reopening as to change in trade name—re Vitro-Bond, self-curing portland cement mortar for setting ceramic tile; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

Adjourned: 4:30 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 15, 1957, as they appeared in Bulletin No. 43, Vol. 42, hereby corrected to read as follows:

825-28-BZ—Vol. II

APPLICANT—Charles M. Spindler, for K.B.S. Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application—decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, the proposed erection and maintenance of a gasoline service station, auto washing, lubricatorium, sales of auto accessories, minor repairs with hand tools only, parking and storage of cars.

PREMISES AFFECTED—1982 Bronxdale Avenue and 1951-1961 Barnes Avenue, northwest corner and 780-792 Neill Avenue, Block 4261, Lot 60, Borough of The Bronx.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert and Commissioner Keating 3

Negative: 0

Absent: Deputy Chief Connolly 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on February 13, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 13, 1957, by adding thereto:

"that the entire parcel may be regraded so that it will pitch towards Bronxdale Avenue with a drainage trench provided along Bronxdale Avenue to receive the drainage from the station; and to omit one curb cut on Bronxdale Avenue and relocate one curb cut within 25 feet of the westerly lot line, as shown on revised plans marked 'Received October 1, 1957,' 2 sheets; and that in all respects where not inconsistent with this resolution, the resolution above cited shall be complied with." (N.B. 822/56)

* Correction—Address of premises affected corrected to read "1982 Bronxdale Avenue," etc.

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University of Illinois Library
Serials Dept.
Urbana, Ill.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 15, 1958, as they appeared in Bulletin No. 42, Vol. 43, hereby corrected to read as follows:

111-56-A—Vol. II

APPLICANT—Godfrey L. Hansen, for Neptune Meter Company, owner.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Fire Commissioner re: smoking permits for certain office areas in factory building.

PREMISES AFFECTED—47-25 34th Street, northeast corner of 48th Avenue, Block 250, Lot 1, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Godfrey Hansen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated May 1, 1958 (Folder #50115.01) reads:

"In reference to your letter of April 15, 1958 requesting permission for certain office areas in this factory building to be designated as 'permissible smoking areas' please be advised that smoking in these areas is contrary to Section 283 of the Labor Law, and your request is therefore denied."

and

WHEREAS, the applicant states that the building is 3 stories, 60 feet in height, 425 feet by 200 feet in area, class 1 construction, erected 1924, located on a lot 600 feet front by 200 feet in depth, in an unrestricted use, B area, class 1½ height district, and used and occupied since July 1957 as follows: 1st floor—factory and office, 250 persons; 2nd floor—factory and office, 1205 persons; 3rd floor—factory and office, 270 persons; that the entire building used and occupied for the manufacturing of liquid meters and accessory equipment by a single tenant; that no change in use or occupancy is proposed; that the building is equipped with an approved standpipe system, and an approved two source sprinkler system throughout, and an approved interior fire alarm system; that there are four interior 44 inch wide masonry stairs, masonry enclosed, equipped with kalamein self-closing doors and extending direct to street; and

WHEREAS, Certificate of Occupancy #Q106945 issued December 28, 1955 against Alt. Applic. 1309/52 permits the present use and occupancy; and

WHEREAS, the applicant states that permission is sought to smoke in the following areas: *basement and 1st floor—offices; 2nd floor—offices and cafeteria; 3rd floor—office; and*

WHEREAS, the applicant states that it is felt that all the requirements for a smoking permit is outlined in Section 283, Rule 2, Paragraph 3 of the Labor Law have been complied with; that the building is fireproof; that all partitions, shelving, etc., are of non-combustible material; that the building will be used to machine and assemble test meters and associated equipment, which places it in the machine shop classifications; that the material used will be mainly brass castings and some iron, steel and aluminum materials all of the non-combustible nature; and

WHEREAS, the applicant contends that complete prohibition of smoking creates a hardship on many employees and it is believed that by setting up permissible smoking areas, promiscuous smoking in other areas can be eliminated; that it is therefore requested that the Board grant permission to smoke in certain designated areas, as indicated on plans filed with this appeal; that such smoking to be permitted during the hours of 7 A.M. to 7 P.M. in the designated areas within the manufacturing area and at any time in the cafeteria or office areas; that all partitions around the smoking areas will be of steel and glass, 7 feet high, except in the office area where masonry partitions already exist; and

WHEREAS, the premises was inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Fire Commissioner acting on decision dated May 1, 1958, in connection with Folder #50115.01 and that the appeal be and it hereby is *granted*, modifying the decision of the Fire Commissioner to permit smoking in the areas as proposed and shown on plans filed with this Appeal marked "Received May 29, 1958," 6 sheets, *on condition* that such signs shall be displayed in such areas as may be determined by the Fire Commissioner stating that smoking is therein permitted; that such receptacles for smoker's refuse shall be maintained as he may require; and that the maintenance of the premises and the fire-fighting equipment shall be maintained as herein proposed.

* Correction—In the applicant's statement, wherein permission is sought for smoking by the employees, an area of the basement is included, as indicated in *italics*.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

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Address all communications to the Chairman

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PETITION AND ORDER OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On November 6, 1958, Copy of Petition and Order of Certiorari was served on the Board by Max M. Lome, attorney for The Allied Civic Assn. of Beechhurst Inc., et al., objecting property owners, seeking a reversal of the Board's determination on November 6, 1958, granting a variance under sections 7e, 7h and 7a of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, office and sales and parking of cars waiting to be serviced, with a lot cut within 75 feet of a residence use district, for a stated term of fifteen (15) years; Cal. No. 167-55-BZ—Vol. II; Premises 20-57 to 20-67 (20-65 official) Clintonville Street, 157-25 Willets Point Boulevard, Whitestone, Borough of Queens.

COURT DECISIONS

In the Matter of Lewis Feldman, et al. against Nassau Shores Estates, Inc., et al., relating to a variance granted by the Zoning Board of Appeals of the Town of Oyster Bay to permit the erection of a residence on a plot 40 by 100 where the minimum size lot required by the law was 10,000 square feet.

Mr. Justice Mario Pittoni, stating in part, as follows:

"Application was made to the Board of Appeals for permission to build on this undersized plot and the application was granted. Upon court review, the decision of the Board was held to be not arbitrary or unreasonable, stating: 'An ordinance which permanently so restricts the use of property goes, it is plain, beyond regulation, and must be recognized as a taking of the property.' Sympathetic though the court may be to the objections of owners of larger plots, the owner respondent is still entitled to erect a residence on his property. Where an owner is seeking a variance of an area requirement, it is not necessary to establish special hardship (Matter of Vil. of Bronxville v. Francis). Here the owner has proven that practical difficulties exist.

"Although the court is denying the application under article 78 on the merits, it may be observed that the corporate petitioner, as a nonproperty owner, has no right to institute such proceeding for it is not an 'aggrieved' party. However, the individual petitioner as an owner of property in close proximity to the subject property is an 'aggrieved' party." (Law Reports, New York, October 22, 1958.)

Matter of Feneck vs. Murdock:—On December 17, 1957, the Board granted a variance under Section 7e of the Zoning Resolution to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station; Premises 2139-2147 86th Street and 2173-2177 West 10th Street, northeast corner and 95-105 Avenue V, Block 7117, Lots 45, 46, 47, 48, 50, 51 and 52, Borough of Brooklyn.

At Special Term, Part I, Supreme Court, Mr. Justice Martuscello sustained the Board's decision, stating in part:

"This section authorizes the Board to permit certain non-conforming uses on grounds other than practical difficulties or unnecessary hardships." "Where the Board grants a variance the question of power only is to be considered (Matter of Reed vs. Board). The court will not substitute its judgment for that of the Board or otherwise interfere with the exercise of the judgment of the Board where the record discloses a reasonable basis for its action." "Petitioner's contention that the determination was not based upon the Board's own findings is without merit." "While it is necessary . . . that the basis of the Board's determination be set forth, it is sufficient if such findings are set forth in the return (Fordham Manor Church vs. Walsh)." "Accordingly, the action of the respondent was not arbitrary, capricious or unreasonable and the petition is dismissed" (N.Y. Law Journal, November 10, 1958, page 14.)

BZ—II, 651-56-BZ, 222-57-BZ—Vol. II, 718-57-BZ, 1001-55-BZ, 840-28-BZ—Vol. II, 783-57-BZ, 381-57-BZ, 283-50-SA—Vol. II, 718-55-SA and 249-56-SA—Vol. II.

Corrections Affecting Calendar Numbers 300-48-BZ, 671-56-BZ and 702-52-BZ—Vol. II.

CALENDAR

DOCKET

New Cases filed up to November 11, 1958

Cal. No. Dept. Premises Affected

631-58-A—B.M.—1289 Madison Avenue, east side, 40 feet, 8½ inches south of East 92nd Street, 2nd floor; Block 1503, Lot 53, Borough of Manhattan, Amendment to Alt. 1833-56—re legal yard.

632-58-SA—Surface Combustion Corporation Glass Decorating Lehr, Gas-fired, firing decorations on users glassware, manufactured by Surface Combustion Corporation, Appliance.

633-58-BZ—B.Bx.—240-242 East 146th Street, south side, 250.13 feet west of Morris Avenue, Block 2335, Lot 23, Borough of The Bronx, Amendment to Alt. 1151-57—re use of power saws—manufacturing use district.

634-58-BZ—B.Bx.—1955 Williamsbridge Road, west side, 175 feet south of Neill Avenue, Block 4273, Lots 13, 15 and 17, Borough of The Bronx, N.B. 872-58—re gasoline service station, lubritorium, car washing, minor repairs, office, sales, parking of cars awaiting service, etc.—retail use district.

635-58-A—B.B.—1409-1411 Fulton Street, north side, 347 feet, 10½ inches east of Marcy Avenue, Block 1854, Lot 57, Borough of Brooklyn, B.N. 288-58—re proposed installation of floorlift, etc.

636-58-A—B.B.—747 Broadway, northeast corner of Flushing Avenue, Block 3127, Lot 1, Borough of Brooklyn, B.N. —2545-58—re marquee.

637-58-A—B.B.—3523-3531 Surf Avenue, northeast corner of West 36th Street, Block 7046, Lot 43, Borough of Brooklyn, Alt. 3586-58—re change in occupancy from business to public use.

638-58-SM—Fiberglas Sundividing Incombustible Partition, manufactured by Owens-Corning Fiberglas Corp., Material.

639-58-A—B.M.—224-226 West 47th Street, south side, 141 feet, 3⅝ inches west of Broadway, Block 1018, Lot 44, Borough of Manhattan, Alt. 1439-58—re exits, etc.

640-58-BZ—B.Q.—91-05 Beech Channel Drive and 355 Beach 91st Street, southwest corner, Block 576, Lot 64, Rockaway Beach, Borough of Queens, N.B. 3255-58—re funeral parlor and accessory uses; parking, etc.—residence use district.

641-58-SA—Mac Elevator Hoistway Door Interlock, Number 15, manufactured by Moline Accessories Corp., Appliance.

642-58-BZ—B.M.—207 West 120th Street, north side, 125 feet west of 7th Avenue, Block 1926, Lot 25, Borough of Manhattan, Alt. 657-58—re automobile repair shop—residence use district.

643-58-BZ—B.B.—5102-5124 Church Avenue and 356-366 East 52nd Street, southwest corner and 397-409 East 51st Street, Block 4699, Lot 1, Borough of Brooklyn, Amendment to Alt. 2175-58—re parking for patrons, no fee charged, etc.—retail and residence use district.

644-58-BZ—B.R.—878 Bay Street and 1-27 Greenfield Avenue, southwest corner and 16-24 Townsend Avenue, Block 2840, Lot 93, St. George, Borough of Richmond, N.B. 614-58—re bowling alleys, snack bar, cocktail lounge, parking etc.—business, retail and residence use district.

Restored to Docket

281-45-A—Vol. II—B.Bx.—608 East 133rd Street, south side, 325 feet west of Cypress Avenue and 160 Bruckner Boulevard, 1st floor, Block 2546, Lots 19, 23 and 24, Borough of The Bronx, Alt. 768-58—re area excessive; class 3 construction.

283-50-SA—Vol. II—ABC Oil Burner, Models 62 and 64, manufactured by Automatic Burner Corp.; reopened as to additional trade name, Appliance.

718-55-SA—Empire Gas Furnaces, Models W50, W75, W100, W125, W150, W175, 75C, 100C, 125C and 150C, manufactured by Empire Stove Co.; reopened as to additional models, Appliance.

249-56-SA—Vol. II—Wayne Dispensers, Models 605F, 605F-1, 605F-2, 605F-5, 605F-6 and 605F-7, manufactured by The Wayne Pump Company; Appliance.

449-44-BZ—B.B.—238-242 Vanderbilt Avenue, west side, 208 feet 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn, Amendment to Alt. 3932-54, reopened re extension of time to complete—garages, etc.—business use district.

651-56-BZ—B.M.—514-516 West 168th Street, south side, 120 feet east of Audubon Avenue, Block 2123, Lots 86 and 87, Borough of Manhattan, Amendment to Alt. 173-56—reopened re extension of time to complete—parking lot—residence use district.

717-28-BZ—Vol. II—B.M. 152-162 East 87th Street, south side, 25 feet, 2⅝ inches east of Lexington Avenue, Block 1515, Lots 47 and 51, Borough of Manhattan, Alt. 1409-58—re addition of 7th story for garage, etc.—retail use district.

752-29-BZ—Vol. IV—B.B.—8801-8809 4th Avenue, southeast corner of 88th Street, Block 6065, Lot 6, Borough of Brooklyn, Amendment to Alt. 1103-58—re factory, offices, gasoline selling station, motor vehicle repair shop with hand tools only, etc.; area excessive—business and manufacturing use district.

384-50-BZ—Vol. II—B.M.—9 Hillside Avenue, south side, 102.2 feet east of Broadway, Block 2170, Lot 104, Borough of Manhattan, Alt. 1320-58—re addition of new second floor for wholesale drug storage; area excessive—residence use district.

CALENDAR

222-57-BZ—B.Q.—87-01 to 87-11 Midland Parkway and 180-02 to 180-16 Wexford Terrace, southeast corner, Block 9944, Lot 1, Jamaica, Borough of Queens, Amendment to N.B. 5-58—re six story cellar class A multiple dwelling—residence use district.

718-57-BZ—B.B.—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn, N.B. 1592-57—reopened and restored to docket—re gasoline service station, lubritorium, non automatic auto laundry, parking of motor vehicles awaiting service, etc.—retail use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

	Last Publication
Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime) ..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior)	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
Smoking in Factories, Rules for..	Sept. 7, 1937—Vol. 22, No. 36
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	April 15, 1958.
Sprinkler, Rules	Mar. 4, 1958.
Standpipe Fireline Rules	June 29, 1937—Vol. 22, No. 26
Structural Alterations, Reporting.	June 8, 1937—Vol. 22, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code) ..	June 7, 1932—Vol. 17, No. 23
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

NOVEMBER 18, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, November 18, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.
SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

Hearing postponed from September 30, 1958, to November 18, 1958, at the request of the Applicant.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

Laid over from November 12, 1958, to November 18, 1958, applicant failed to give full notice to property owners.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc. owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

CALENDAR

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Ave., southeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue (Street), north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

457-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of a vacant plot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2330-2334 Cambreleng Avenue, east side, 274.52 feet south of East 187th Street, Block 3089, Lots 18-19-20, Borough of The Bronx.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use

district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9 $\frac{1}{8}$ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

272-56-BZ

APPLICANT—John Sellers Yates, for John Sellers and Marguerite T. Yates, owners.

SUBJECT—Application March 2, 1956—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of an extension for an additional entrance to an existing one family dwelling with less than the required setback.

PREMISES AFFECTED—961 Todt Hill Road, east side, 15.05 feet south of Coventry Road, Block 896, Lot 45, Dongan Hills, Borough of Richmond.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

195-57-BZ

APPLICANT—Harry A. Yarish, for Ethel Weissman, owner.

SUBJECT—Application March 18, 1957—decision of the Borough Superintendent, under section 21 of the Zoning

CALENDAR

Resolution. to permit in a residence use district, the change in occupancy of a two car garage to a one (1) family dwelling.

PREMISES AFFECTED—3844 Laurel Avenue, south side, 120 ft. east of Highland Avenue, Block 6976, Lot 13, Borough of Brooklyn.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

623-55-BZ

APPLICANT—Benjamin Heffner, for Estate of Samuel T. Nierenberg, owner.

SUBJECT—Application (expired October 16, 1957) reopened October 28, 1958 for consideration as to extension of time to complete—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district for a term of years, the parking of cars for patrons and employees of adjoining stores.

PREMISES AFFECTED—35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.

SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for the sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then laid over for further inspection and decision; date to be determined; now set for November 18, 1958.

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wolheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

Laid over from September 30, 1958, to October 28, 1958, for inspection and decision; hearing closed; then laid over for further inspection and decision; date to be determined; now set for November 18, 1958.

123-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Grenlac Holding Corp., owner.

SUBJECT—Application February 14, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, sales rooms, car wash, storage, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1101-1111 Grenada Place and 4126-4134 Laconia Avenue, northeast corner, Block 4927, Lot 2, Borough of The Bronx.

Laid over from October 22, 1957, to November 19, 1957, for inspection and decision; hearing closed; then to December 3, 1957, for further inspection and decision; then to December 10, 1957, for inspection and decision; applicant having been notified; then to December 17, 1957; then to January 7, 1958, for further inspection and decision; then laid over from January 7, 1958, for decision; date to be set; then set for March 11, 1958; then laid over from March 11, 1958, to March 18, 1958, for full vote of the Board; then laid over from March 18, 1958, for the members of the Board to view the stores now under construction across the street from this site, and laid over for a continuation of the vote until such time as the stores on 231st Street are constructed; date for decision to be determined; now set for hearing June 24, 1958; then laid over from June 24, 1958, date to be set; for further consideration and decision; now set for November 18, 1958.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sec-

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tions 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

Laid over from July 22, 1958 to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under sections 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; applicant to file revised plans showing houses on either side of 101st Avenue; hearing closed.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars.

PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of The Bronx.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., Lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for

such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middleton Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of The Bronx.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; applicant to file amended plans, showing pumps 15 feet from building line; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed.

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the

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Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing-non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Jamo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to November 18 for possible sale of property for conforming use; hearing closed.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

Laid over from September 30, 1958, date to be set pending information from the applicant as to title to premises and lease to tenant; and for inspection and decision; hearing closed; now set for November 5, 1958; now set for November 5, 1958; then to November 18, 1958, at request of the Board, to inspect plans originally approved by the Department of Buildings.

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under

Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

Laid over from September 30, 1958 to October 21, 1958, for inspection and decision; hearing closed; then to November 5, 1958, for statement from Park Department as to actual time of development of subject site for park purposes and for applicant to submit sworn to statement that owner will waive any claim for damages if and when property is so taken for the proposed extension to building; then to November 18, 1958, for definite statement from the Park Department as to when property is to be acquired; hearing closed.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, November 18, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1951—1-B Master Anti-Siphonic Ballcock; previously dismissed.

881-53-SM

APPLICANT—Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., owner.
SUBJECT—Application December 10, 1953—Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive, approval of.

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134-55-SA

APPLICANT—Burden Industrial Appliance Corp., for Burnham Corp., owner.

SUBJECT—Application February 18, 1955—Burnham Explosion Proof Electric Radiator, Models EPW-20, EPW-25, EPW-30, EPR-20, EPR-30, EPR-25, EP44-20, EP44-25, and EP44-30, approval of.

878-56-SM

APPLICANT—Burke, Anzini & Court Co. Inc., for Tropical Tiles Inc., owner.

SUBJECT—Application December 13, 1956—Vibracast Cement Tile, approval of.

571-57-SA

APPLICANT—Forse Corporation, owner.

SUBJECT—Application July 16, 1957—Forse Corporation Shirt Pressing & Folding Machines, approval of.

707-57-SA

APPLICANT—American Standard Air Conditioning Division, owner.

SUBJECT—Application September 6, 1957—American Standard Air Cooled Evaporator Units, Models RC-H, RC-V, RC-C, RC-B Evaporator Units and AC-A Condensing Units, approval of.

819-57-SM

APPLICANT—The Pittsburgh Corning Corporation, owner.

SUBJECT—Application October 29, 1957—Durasonic Foamglas (acoustical tile), approval of.

897-57-SM

APPLICANT—Convixer and Company, owner.

SUBJECT—Application November 29, 1957—Convixer Concrete filled steel columns (square and rectangular), approval of.

898-57-SM

APPLICANT—Convixer and Company, owner.

SUBJECT—Application November 29, 1957—Convixer Steel Sheel Concrete filled steel columns (large diameter), approval of.

899-57-SM

APPLICANT—Convixer and Company, owner.

SUBJECT—Application November 29, 1957—Convixer Concrete filled steel columns (extra heavy weight series), approval of.

900-57-SM

APPLICANT—Joseph Platzker for Curtiss-Wright Corporation, owner.

SUBJECT—Application December 2, 1957—Curon Wall Covering, approval of.

950-57-SA

APPLICANT—The Dearborn Stove Company, owner.

SUBJECT—Application October 24, 1957—Dearborn Gas-fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A and DVCK-60A, approval of.

57-58-SM

APPLICANT—The National Gypsum Company, owner.

SUBJECT—Application January 2, 1958—Gold Bond Acoustico and Acoustiglas Ceiling Tile and Panels (incombustible acoustical materials), approval of.

101-58-SA

APPLICANT—The Alstrom Corporation, owner.

SUBJECT—Application March 5, 1958—Alstrom Filmwall Oil Preheater, Model "FW" Oil Preheater Non-contaminating, approval of.

162-58-SA

APPLICANT—Electrol Burner Mfg. Company, Inc., owner.

SUBJECT—Application March 18, 1958—Electrol Oil Burner, Models HO-2, HO-3 and HO-4, approval of.

220-58-SM

APPLICANT—Charles Bloom, Inc., owner.

SUBJECT—Application March 24, 1958—Fire-LL Drapery Fabric, approval of.

267-58-SA

APPLICANT—The Standard Electric Time Company, owner.

SUBJECT—Application March 26, 1958—Standard Electric Time Co., Emergency Lighting System, Type 32, Series 300, approval of.

271-58-SM

APPLICANT—Duffy Concrete Products Inc., owner.

SUBJECT—Application April 25, 1958—Duffcon Longspan Precast Concrete Super Slabs, approval of.

436-58-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application July 18, 1958—Tokheim, Models 448 and 452 Gasoline Pumps with or without suffixes, P, PEH, RC, Twin, 1 and 2, approval of.

437-58-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application July 18, 1958—Tokheim Emergency Shut-off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4, 1099-1, 1099-2, 1099-3 and 1099-4, approval of.

445-58-SA

APPLICANT—Peter S. Gluck for Earl Scheib Paint & Supply Company, owner.

SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

575-58-SA

APPLICANT—Cook Machinery Company, owner.

SUBJECT—Application October 6, 1958—Aldryer or Tumblette Gas-fired Clothes Dryer, Models 37M30 and 37S30, approval of.

408-49-SM

APPLICANT—Firedoor Corp. of America & Spartan Steel Products, owners.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to change of ownership—re World 3 Hour Hollow Metal Fire Door (panel and flush type); previously approved.

583-57-SA

APPLICANT—Air Reduction Company, owner.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution—re Airco Liquid Oxygen Station (storage and vaporization of liquid oxygen, nitrogen and argon), Models 5-4, 7-8, 9-8, 9-25, 9-40 and 9-100; previously approved.

700-55-SA

APPLICANT—Vacuum Gas Burner Company, owner.

SUBJECT—Application August 12, 1955—Blu-Flame, Models VG-35, VG-45, VG-50 and VG-60; approval of.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.

SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.

PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, east of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

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896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen St. Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

572-57-A

APPLICANT—Fresh Meadow Cleaners Inc., lessee (New York Life Insurance Co., owner).

SUBJECT—Application April 3, 1957—Appeal from a decision of the Borough Superintendent, request to review Borough Superintendent's decision on wet wash laundry use.

PREMISES AFFECTED—61-48 188th Street, northwest corner of 64th Avenue, Block 7075, Lot 1, Fresh Meadows, Borough of Queens.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.

SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.

PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

552-37-A—Vol. IV

APPLICANT—Wechsler and Schimenti, for Russell B. Booth, owner.

SUBJECT—Application reopened May 28, 1957 as Vol. IV—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens.

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 25, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning November 25, 1958, at 10 o'clock at 80

Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adea Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1601-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

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SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

421-58-BZ

APPLICANT—Department of Public Works, Albert B. Bauer, for City of New York, owner.

SUBJECT—Application July 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a Class 1½ height district, the erection of an eight (8) story building with less than the required setbacks on the upper floors, thereby exceeding the permitted height.

PREMISES AFFECTED—205-235 East 20th Street, north side, 75 feet, east of 3rd Avenue, Block 901, Lots 6, 9, 14, 40, 41, 42, 43, 44, Borough of Manhattan.

443-58-BZ

APPLICANT—Leonard F. Rothkrug, for Meadow Gold Products Corporation, owner.

SUBJECT—Application July 22, 1958—decision of the Borough Superintendent, under section 19A of the Zoning Resolution, to permit in an unrestricted use, A area district, a voluntary loading berth to be used in conjunction with the existing Ice Cream manufacturing plant, less than 25 feet from the intersection.

PREMISES AFFECTED—775-779 Kent Avenue, southeast corner of Little Nassau Street, Block 1884, Lot 18, Borough of Brooklyn.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Borough of Queens.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

551-57-BZ—Vol. II

APPLICANT—Hurley Kearney and Lane, for Samuel Eidelberg, and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings Bank building thereon and the use of the unbuilt upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

594-50-BZ—Vol. II

APPLICANT—Alvin F. Golankiewicz for Frank Golankiewicz and Roman Golankiewicz, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot consisting of three lots, the extension of a parking lot, previously granted by the Board and located on the westerly 62 feet of the premises, to occupy the entire plot.

PREMISES AFFECTED—649-659 East 225th Street, north side, 205.02 feet east of Carpenter Avenue, Block 4827, Lots 29, 34, and 36, Borough of The Bronx.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Valentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage

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tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all

requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision; then to November 25, 1958, at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section

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7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 Baychester Avenue, northwest corner of East 222nd Street, Block 4880, Lots 23 and 30, Borough of The Bronx.

Laid over from November 5, 1958, to November 25, 1958, for applicant to file revised plans showing pumps back fifteen feet from the street building line and for inspection and decision; hearing closed.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hands tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

Laid over from November 5, 1958 to November 25, 1958, for inspection and decision; hearing closed.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

Laid over from November 5, 1958, to November 25, 1958, for inspection if necessary and decision; hearing closed.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re (decision of the borough superintendent) under section 7e, of the zoning resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

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PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

Laid over from October 30, 1956 to November 27, 1956, to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957, at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958, then November 25, 1958, for inspection and decision; also for statement from the Park Department; hearing closed.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the borough superintendent—re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for further inspection and decision; then to November 25, 1958 for further inspection and decision.

HARRIS H. MURDOCK, *Chairman*.

NOVEMBER 25, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, November 25, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

416-58-A

APPLICANT—Leonard F. Rothkrug, for Frank Debski, owner.

SUBJECT—Application filed June 26, 1958, pursuant to Section 310 of the Multiple Dwelling Law for variation of provision of Section 172 of the Multiple Dwelling Law relating to rear yard.

PREMISES AFFECTED—45 University Place, east side, 84 feet north of East 9th Street, Block 561, Lot 3, Manhattan.

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.

SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.

PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

166-58-A

APPLICANT—Robert Teichman, for E and A Building Corp., owner; Fisher Scientific Co., lessee.

SUBJECT—Application March 19, 1958—Appeal from an order and a decision of the Fire Commissioner re packaging of volatile and inflammable oils in Glass Bottles; capacity of bottles not in accordance with Administrative Code Requirements.

PREMISES AFFECTED—75-89 Morton Street, 633-635 Greenwich Street, northeast corner and 99-101 Barrow Street, Block 603, Lot 49, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 2, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 2, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

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270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricatory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business

and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubricatorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

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PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons, cars for Riccardo's Restaurant on Block No. 876, Lot No. 15 (fee to be charged).

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

649-56-BZ

APPLICANT—Henry Nordheim, for Ignazio Arnone, owner.

SUBJECT—Application reopened November 5, 1958 for consideration as to extension of time to complete, expired July 23, 1958—decision of the Borough Superintendent, previously granted on condition under sections 7b and 21 of the Zoning Resolution, permitted in a residence and unrestricted use district, the erection of a one story non-storage garage.

PREMISES AFFECTED—911 Sacket Avenue, north side, 94 feet east of Bronxdale Avenue, Block 4058, Lots 25 and 26, Borough of The Bronx.

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application reopened November 12, 1958 for

consideration as to extension of time to complete, expired June 11, 1955—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a business use district, reconstruction of three (3) buildings two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt Avenue, west side, 208 feet 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn.

651-56-BZ

APPLICANT—Harry G. Savran, for Mabel F. Fredericks, owner.

SUBJECT—Application reopened November 12, 1958 for consideration as to extension of time to complete, expired June 10, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of motor vehicles.

PREMISES AFFECTED—514-516 West 168th Street, south side, 120 feet east of Audubon Avenue, Block 2123, Lots 86 and 87, Borough of Manhattan.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to December 2, 1958, at the request of the applicant to submit a complete report of the conditions to the Board and statement as to occupancy by three families as indicated by the three bells at the side door.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; hearing closed.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

CALENDAR

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; applicant to submit corrected plans; hearing closed.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; applicant to report to the Board as to closing the existing entrances to East 11th Street in the residence use district, hearing closed.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; applicant to file revised plan showing corrected arrangement of proposed building as extended, hearing closed.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 2, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 2, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.

SUBJECT—Application reopened October 7, 1958—As Vol. II—Appeal from a decision of the Borough Superintendent, re use of frame building within fire limits for storage.

PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

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SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.
SUBJECT—Application Aug. 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.
PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.
SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.
PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.
SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons cars—no fee to be charged.
PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.
SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.
PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

971-57-BZ

APPLICANT—Edward J. Croce, for McFadden Brothers Post Memorial Association, owner.
SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under section 7h of the

Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) pleasure type motor vehicles.

PREMISES AFFECTED—518-524 Prospect Avenue, south side, 325 feet east of Prospect Park West, Block 871, Lots 22 and 24, Borough of Brooklyn.

482-57-BZ

APPLICANT—John Mashamesh, owner.
SUBJECT—Application June 28, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the extension of a one family dwelling that encroaches on the required rear yard.
PREMISES AFFECTED—46-14 216th Street, west side, 110 feet south of 46th Avenue, Block 7342, Lot 15, Bay-side, Borough of Queens.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.
SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, store and utility room, parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.
PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.
SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.
PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.
SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.
SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.
PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.
SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning

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Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

446-58-BZ

APPLICANT—Nathan Lubroth, for Albert I. Cohan, owner. John Farmakides, Lessee, doing business as; J. and J. Co.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit the change in classification of a storage building to a garage and repairs of more than five (5) motor vehicles.

PREMISES AFFECTED—37-08 24th Street, west side, 52.12 feet, south of 37th Avenue, Block 366, Lot 32, Long Island City, Borough of Queens.

555-58-BZ

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a class 2 height district, the erection of a forty-one story building with the dormer structure greater than that permitted.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets, 101-129 West 51st Street and 100-126 West 52nd Street, Block 1004, Lot 29, Borough of Manhattan.

280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

367-58-BZ

APPLICANT—Henry Nordheim, for Michal Paniewski, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the continuance of a recently erected one family dwelling without the required accessory parking space.

PREMISES AFFECTED—1548 Dwight Place, east side, 200 feet east of Ampere Avenue, Block 5411, Lot 279, Borough of The Bronx.

9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubricatorium, and to extend the uses to include auto body and fender repairs for a stated term of fifteen (15) years.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the zoning resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway and 201-207 Bennett Avenue, northwest corner, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubricatorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail

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use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

Laid over from November 5, 1958, to November 12, 1958, at the request of an objector; then to December 9, 1958, for inspection and decision; hearing closed.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Molodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

Laid over from November 12, 1958, to December 9, 1958 for inspection and decision; hearing closed.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

Laid over from November 5, 1958, to November 12, 1958, for continued hearing after applicant has filed revised plans; then to December 9, 1958 for inspection and decision; hearing closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 9, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 9, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

556-58-A

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent re escalators.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, 1st and 2nd floors, Block 1004, Lot 29, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 12, 1958,
10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, October 28, 1958, were approved as printed in the Bulletin of November 4, 1958, Vol. 43, No. 44.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard R. Rothkrug.

For Opposition: C. Cammarata, N. Y. C. Housing Authority, Sidney M. Schwartz, Edward Handelman, Murray Grossbard, Rev. Arthur E. Matott, Barnet Schwartz, Sadie Jennings, Naomi Jacobson, Rabbi M. Bick, Mrs. Anna Spilkewitz, Mrs. C. Grossbard and A. Berman.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for inspection and decision; hearing closed.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Theodore Tannor.

For Opposition: Hyman Goldsmith, Battisti Di Bernordi, William E. English, Lena E. Unruh, Ida Pandolfi, Nancy Perrone, Morris J. Stein, Reverend James V. Dempsey, Samuel Bonom, Rabbi M. S. Ostrinsky, Samuel Z. Cohen, Salvatore Salmeri, Frank Messina, John N. Enright, Henry Khason, Dorothy K. Landi, Masure Corporation, Paul A. Eckert, M. Monfitti, E. Ringe, Gilda Lamano, Joseph Del Pizzo, Vincent Costagliola, William Gerbino, Mary F. Pietranero, Virginia G. Aswad, George J. Aswad, Bessie Davis, Christine Di Bernardi, Victoria Zahro, James F. Whalen Sr., and Eric R. Stockley.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

563-45-BZ—Vol. II

APPLICANT—Ingram S. Carner for Henry & Carmella Molodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs

with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Ingram S. Carner.

For Opposition: Charles F. Nicolas.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Roger Pontiac Company, Inc., Lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph E. Leff.

For Opposition: Marie L. Veltri, Mary Camillieri and Guerino A. Gratta.

For Administration—John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for inspection and decision; hearing closed.

754-49-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches, north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Albert J. Cohen, Florence Doniger, Margaret J. Sorenson and Antonio Martino.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for inspection and decision; applicant to report to the Board as to the feasibility of closing the existing entrances to East 11th Street in the residence use district; hearing closed.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non-automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

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PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: Theodore J. Malvin.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for inspection and decision; applicant to file revised plan showing corrected arrangement of proposed building as extended; hearing closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: None.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. at request of the applicant, in view of possibility of property being sold for a conforming use; hearing previously closed.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A.M. for inspection and decision; hearing closed.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ruth H. Jaffe.

For Opposition: Rose Galloway, Mrs. J. Michelsen and Mary Gooch.

ACTION OF BOARD—Laid over to November 18, 1958, at 10 A.M.; applicant failed to give full notice to property owners.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing (non-

automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

APPEARANCES—

For Applicant: Robert J. Crinnion.

For Opposition: None.

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A.M. for further inspection and decision; hearing previously closed.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of childrens' rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: John Tricarico, Carmine & John Primiano.

For Opposition: William E. Gerke, Jr., Rose Summa, Grace Leach, Martha Padavano, Sunday Butera, Sadie Cappa, Marion Sciamé, Norma Raymond, Alice Thomson, Frances De Luca, Dorothy Carter, Joseph Cappa, Ciro Lardo, Louis Campanella, Daniel J. Carter and Joseph Tuccihrone.

ACTION OF BOARD—Laid over for inspection and decision; date to be set; applicant to file revised plan of existing conditions; hearing closed.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re relocation of rides, 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side, 181.76 feet north of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: John Tricarico, Carmine and John Primiano.

ACTION OF BOARD—Laid over in conjunction with Cal. No. 127-58-BZ, for inspection and decision; date to be set; hearing closed.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Louis Riger.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for further inspection and decision; hearing previously closed.

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133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rus-
ciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the
Borough Superintendent, under section 7h of the Zoning
Resolution, to permit in a business and residence use dis-
trict the extension of the approved parking lot for more
than five (5) motor vehicles located on the business por-
tion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road,
west side, 137.56 feet south of East 239th Street, Block
5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of
The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Mrs. Robert Simon and Mrs. Virginia H.
Neumann.

ACTION OF BOARD—Laid over to December 2, 1958, at
10 A. M. for inspection and decision; hearing closed.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Ser-
ena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Bor-
ough Superintendent, under section 21 of the Zoning Reso-
lution, to permit in a G-1 area district, the erection of an
extension to an existing one family dwelling and acces-
sory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest
corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens
Hills, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to December 2, 1958, at
10 A. M. for inspection and decision; hearing closed.

343-58-BZ

APPLICANT—Ingram S. Carner for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Bor-
ough Superintendent, under sections 7f and 7i of the
Zoning Resolution, to permit in a business use district, the
erection and maintenance of a gasoline service station,
office, sale of accessories, car wash—non automatic, minor
automobile repairs with hand tools only, lubritorium, stor-
age and parking of more than five (5) motor vehicles
waiting to be serviced for a stated term of fifteen (15)
years.

PREMISES AFFECTED—1301 Jerome Avenue and 1
Clarke Place, northwest of corner, Block 2856, Lot 56,
Borough of The Bronx.

APPEARANCES—

For Applicant: Ingram S. Carner.

For Opposition: None.

ACTION OF BOARD—Laid over to December 9, 1958, at
10 A. M. for inspection and decision; hearing closed.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose
Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Bor-
ough Superintendent, under sections 7f, 7i, and 7a of the
Zoning Resolution, to permit in a retail use district,
the erection and maintenance of a gasoline service station
with a two-story accessory building, the first floor will
contain the conjunctive uses of lubritorium, car washing,
minor repairs, office, salesroom and the use of the unbuilt
upon portion for the parking of more than five (5) motor
vehicles with business entrance and show windows within
75 feet of a residence use district and to use the second
floor for offices, all for a temporary term of fifteen (15)
years.

PREMISES AFFECTED—950-958 Morris Park Avenue
and 1740-1748 Bogart Avenue, southeast corner, Block
4096, Lots 1-4 inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harry H. Greis, Gertrude Cain, Mr.
Lamponi, Emily Mazzaro, Josephine Rossi, Veronica
Zawistowski, Elizabeth Pozzuto, Agnes Gruendel,
Achille DiCarluccio, Fran Maretto, Carolina Moirano,
Angelo Lackowitz, Mrs. A. Rothenberg, Mrs. James
Pallone, Aileen B. Ryan, Paul A. Fino and James Pal-
lone.

For Administration: John J. Saunders, Board of Educa-
tion.

THE VOTE—

Affirmative: Vice Chairman Keating and Commissioner

Kleinert 2

Negative: Chairman Murdock and Commissioner Sleeper 2

Absent: Commissioner Foley 1

ACTION OF BOARD—Laid over, date to be determined,
for full vote of the Board; hearing previously closed.

919-46-BZ

APPLICANT—Lama, Proskauer and Prober, for 729 East
98th Street, Inc., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. III
—decision of the Borough Superintendent, under section
7c of the Zoning Resolution, to permit on a plot, partly
in an unrestricted use district and partly in a business use
district, the extension of the present use of wooding shops,
office and storage of lumber in building by increasing the
size of the plot and use the increased area in conjunction
with the existing uses for the storage of lumber and load-
ing and unloading in the open area.

PREMISES AFFECTED—699-731 East 98th Street and
9801-9807 Ditmas Avenue, northeast corner and 736-750
Bristol Street, Block 3641, Lots 1, 6-53 and Lot 60,
Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-
ing, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION

WHEREAS, this application was reopened as Vol. III on
May 6, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application
on October 15, 1958 after due notice by publication in the
Bulletin; laid over to October 28, 1958, for inspection and
decision; hearing closed; then to November 12, 1958, for
applicant to file revised plans showing an unused portion
of plot forty feet from the northerly lot line and running
at right angles thereto as a fire break; and

WHEREAS, the district maps accompanying the Zoning
Resolution show that the site and East 98th Street are in
unrestricted and business use, D area, class 1 height dis-
tricts; Ditmas Avenue is in an unrestricted use, D area,
class 1 height district; Bristol Street is in residence,
business and unrestricted use, D area, class 1 height dis-
trict; Hopkinson Avenue is in a residence use, D area,
class 1 height district; that as of July 25, 1916 that part
of the premises within 100 feet of Bristol Street was in an
unrestricted use district and the balance of the plot was in
a business use district; that on May 10, 1928, the zoning
lines were changed so that part of the premises within 100
feet of Ditmas Avenue was put in an unrestricted use dis-
trict and the balance of the plot was put in a business use
district; that as of July 25, 1916 that part of the premises
within 100 feet of Bristol Street was in a 1½ height dis-
trict, and on July 22, 1954 the entire premises was put in a
class 1 height district; and

WHEREAS, the decision of the Borough Superintendent,
dated March 31, 1958 acting on Alt. Applic. No. 170-58,
reads:

"1. On a lot located partly in an unrestricted use
district, and partly in a business use district, the exten-

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sion of the existing woodworking shop, offices, and lumber storage in building by increasing the size of the lot and using the increased area in conjunction with the existing uses for the storage of lumber and loading and unloading, in the open area is contrary to Art. II Sect. 4(a) subdiv. 31 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 287 feet 1-5/8 inches frontage by 68 feet 3-1/2 inches in depth, irregular, presently developed with a one story building of class 3 construction, having a frontage of 160 feet, a depth of 68 feet 3-1/2 inches, now occupied as a woodworking shop, offices and lumber storage in building; that the open yard is now being used for lumber storage, loading and unloading of lumber; that it is proposed to maintain the present legal use of woodworking shop, offices, lumber storage in building, and legalize the present uses of storage of lumber in the open yard, together with loading and unloading of lumber; that the open yard will be enclosed with an 8 foot high woven wire fence on the East 98th Street building line, and a 6 foot high woven wire fence on the interior lot lines where adjoining buildings do not occur; that the open area will be unpaved; and

WHEREAS, the applicant states that Department of Buildings records indicate that the present building on the site was erected under Alt. Applic. No. 3091-46 and under Cal. Nos. 919-46-BZ, Vol. I, 926-46-A and 919-46-BZ, Vol. II; that the open yard now being used for lumber storage, loading and unloading of lumber does not have a permit; the Certificate of Occupancy No. 132933 was issued on July 16, 1952 for use as woodworking shop, offices, lumber, storage in building; and

WHEREAS, the applicant contends that the site is situated in an area that is more than 50% unrestricted, so that the use of said open yard for storage of lumber, loading and unloading of lumber will be in complete harmony with the general surrounding properties in this area; and

WHEREAS, the applicant states that the present owner has held title to the property since November 29, 1943, July 9, 1952 and January 21, 1954; that the assessed valuation of land is \$17,200 and of the building \$56,500 making a total of \$73,700; that the building was erected in 1952; and

WHEREAS, this was laid over for inspection by a committee of the Board and for the applicant to file revised plans; the inspection was made and revised plans have been filed which are designed to leave the fenced area against the adjoining house for protection thereto and as a fire-break; and the committee recommended that the application be granted on condition.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 9, 1947, under Vol. I, as thereafter amended by resolutions adopted through July 24, 1951, by adding thereto:

"that in the event the owner desires to extend the use by the addition of vacant land to the north, such use may be permitted for the storage of lumber provided a woven wire fence of the chain link type not less than six feet in height shall be erected across the lot, at a distance of twenty feet southerly and parallel to the lot line of the adjoining Lot No. 8, and a woven wire fence 8 feet high on the street line and the interior lot lines where walls of adjoining buildings do not occur on the lot line, as proposed and as indicated on plans filed with this application marked "Received April 9, 1958", 4 sheets, and as revised by revised plans marked "Received November 5, 1958", one sheet, *on condition* that in all other respects the requirements of the resolution above cited shall be complied with where not inconsistent with this amended resolution; and that all permits shall be obtained and all work completed within six months from the date of this amended resolution."

967-57-BZ

APPLICANT—Samuel Carr, for Nathaniel Ratner, owner.
SUBJECT—Application December 24, 1957—decision of the

Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a business and residence use, "D" area district, the erection of a one story masonry building to be used for manufacturing and storage as permitted in the business district and occupying more than the permitted area.

PREMISES AFFECTED—108-24 Astoria Boulevard, southwest corner of 110th Street, Block 1703, Lot 94, East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; postponed to October 15, 1958, for hearing at request of objector; then to October 28, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for applicant to file revised plans, showing no portion of the building in the residence district, that such portion shall be fenced and the building limited to one story, located entirely in the portion of site zoned for business use; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 108th Street and 110th Street are in business and residence use, D area, class 1 height districts; Astoria Boulevard is in a business use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 13, 1958 acting on N.B. Applic. No. 3845-58, reads:

"1. The proposed use of this building located within a business district and extending into a residence district is contrary to Art. II, Sec. 3 of the Zone Law.

"2. The area of proposed building occupying 100% of the area of the lot in a D district is contrary to Art. IV Sec. 14 of the Zone Law."

and

WHEREAS, the applicant states that the premises consist of a plot, 45 feet frontage by 90.6 feet in depth; that it is proposed to improve the property with a one story building, no cellar, with face brick masonry wall facing street and boulevard, and masonry blocks for remainder walls, roof beams of steel and concrete arches; and

WHEREAS, the applicant states that the total plot is 5160 square feet; actual coverage proposed is 5160 square feet; that the area in the business use is 4345 square feet; that that part lying in the residence use area at the southwest corner of the parcel is 815 square feet and has no access thereto and obviously cannot be used, except as part of the improvement of the rest of the plot; that in a D area, this corner plot for business may cover 3500 square feet plus 88 square feet for permissible coverage of an interior plot, plus 480 square feet for the loading dock, making a total of 4068 square feet; that this will leave approximately 20% of excess coverage in this case, should the entire lot be covered; that a variance for use is requested; that part of the floor area so indicated for use for light manufacturing as is permitted in a business use district; that part in the residence use will be restricted to storage; that deducting for toilets, loading dock, office space and warehousing, the area left for light manufacturing becomes about 2300 square feet, or less than 1/2 of the plot area; that permissible use into a more restricted area is requested; that the exterior walls facing the dwellings to the south will be practically below the line of vision; that the terrain slopes sharply north to the water's edge and hence the top of the roof of the proposed structure will be on a level well below the ground level of the dwellings to the rear of this plot on the same block 1703, lots 82, 81, etc.; and

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WHEREAS, the applicant contends that the adjacent building on lot 93 is used for trucking and storage and that lot 87 is also used for trucking, motor vehicle and gas station; that thus, only a commercial building for such use as is proposed, including light manufacturing, is indicated as the best and most desirable improvement of this land; that to penalize the owner for a loss of 15% of the land which lies in the residence use and 20% because of permissible area only, would leave the owner with a 80% potential land covering, which is a hardship and a deprivation of the full benefit of his financial investment; and

WHEREAS, the applicant states that the present owner has held title to the property since April 5, 1956 and that the assessed valuation of lands is \$4,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on certain conditions, not permitting any building or use within the residence district; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, as to area, to permit construction of the building as proposed and as indicated on plans filed with this application marked "Received December 24, 1957", one sheet, "May 16, 1958", 4 sheets, and "July 2, 1958", one sheet, and revised plans marked "Received November 6, 1958", 4 sheets, *on condition* that the building shall not exceed one story in height and shall not exceed in coverage the area in the business district; that the portion in the residence district shall not be built upon and shall be fenced with a woven wire of the chain link type not less than five feet six inches in height and the portion in the residence use district shall be maintained with sod and kept in a neat condition at all times and not used for storage; that the building herein permitted shall be for a use conforming in the business district and in all other respects shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

386-58-BZ

APPLICANT—Unger and Unger, for Alex Lifschutz, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of a one story extension with less than the required setback.

PREMISES AFFECTED—616 East 19th Street, southwest corner of Foster Avenue, Block 5239, Lot 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Feldman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Foster Avenue, East 18th Street, East 19th Street and Glenwood Road are in a residence use, G area, class ½ height district; that as of July 25, 1916 the property was zoned as residence 1¼ height area

district and the present zoning became effective on July 28, 1939; that there are no zoning amendments pending at the present time relating to this property; and

WHEREAS, the decision of the Borough Superintendent, dated May 20, 1958 acting on Alt. Applic. No. 1406-58, reads:

"1. Proposed extension encroaches upon required setback in a G area district and violates Art. 4 Sect. 16B(b) of Zone Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 66 feet 3-¾ inches frontage by 100 feet in depth, on which is located a one family dwelling, two story and attic frame structure, occupied as a private residence and dentist's office, for which Certificate of Occupancy No. 74570 was issued in 1934; and

WHEREAS, the applicant states that the site is situated on the southwest corner of East 19th Street and Foster Avenue and is an irregular plot measuring 66 feet 3-¾ inches on East 19th Street by 109 feet 6 inches on Foster Avenue; that the front portion of the building, facing East 19th Street, is used as a residence by the owner and the rear portion, facing Foster Avenue, is used by the owner as his dental office; that the present dental office, with one treatment room, is too small for the owner to properly carry on his dental practice and it is imperative that he have an additional treatment room; that this needed additional area can feasibly be achieved only by extending the present treatment room; that the present building extends to within five feet of the property line and the garage extends to within one foot of the property; that however, the proposed extension of approximately 4 feet 6 inches by 8 feet will be confined to within the existing five foot setback and will in no way affect any adjoining premises; that the community property owners association was informed of the proposed extension and has given its approval of same, which is evidenced by a letter of consent filed with this appeal; and

WHEREAS, the applicant contends that on the basis of the dire need for additional space, the lack of which creates a tremendous hardship on the owner, and also due to the practical difficulty in locating this sorely needed extension in any other location, it is requested that the Board make a variation in the application of the area district regulations of the Zoning Resolution, and permit this small extension to project into the required setback to a point not exceeding the existing projection of the present building; and

WHEREAS, the applicant states that the present owner has held title to the property since April, 1941; that the assessed valuation of land is \$6,500 and of the building \$6,500 making a total of \$13,000; that the building was erected in 1909; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, to permit an extension of the first story for use as an enlargement of an existing dentist's office, substantially as proposed and indicated on plans filed with this application, marked "Received June 19, 1958", 6 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and only so long as the dentist using the office is also the occupant of the residence building.

Adjourned: 2:40 P.M.

JOSEPH J. DOYLE, Chief Clerk.

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REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 12, 1958,
2 P.M.

Present: Chairman Murdock, Vice Chairman Keating,
Commissioner Kleinert and Commissioner Sleeper.

216-54-A—Vol. II

APPLICANT—Aaron Halpern, for Elias G. Kontanis,
owner.

SUBJECT—Application reopened January 28, 1958 as Vol.
II Appeal from a decision of the Borough Superintendent
re extension of business use in a frame structure.

PREMISES AFFECTED—40-27 29th Street and 29-08
40th Road, southeast corner, Block 403, Lot 43, Long
Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-
ing, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent,
dated December 10, 1957 on amendment dated September 20,
1957, to Alt. Applic. 2699/56 reads:

"1. The extension of use of existing premises to in-
clude business use in a frame structure is contrary to
4.2.1. A.C."

and

WHEREAS, the applicant states that the building is 2 stories
and basement, 29 feet in height, 25 feet front by 93 feet 2
inches in depth at 1st floor, 40 feet in depth at typical floor,
class 4 and 5 construction, located in a business use, B area,
class 1½ height district, erected in 1908 and 1924, and used
and occupied since 1930 and 1952 without a certificate of
occupancy as follows: Cellar—boiler room, no persons;
basement—office and storage of electrical parts, 3 persons;
1st floor—office, mailing literature, 1 person; 2nd floor—
now vacant; and proposed to be used and occupied as fol-
lows: basement—office and storage of electrical parts, 6 per-
sons; 1st floor—offices and mail room, mailing literature,
6 persons; 2nd floor—offices, 4 persons; that the building is
provided with one interior 3 foot wide wood stairs en-
closed in partitions of lath and plaster, equipped with wood
doors, which will be made self-closing; that stairhall leads
direct to street and is provided with a ladder and scuttle to
roof; and

WHEREAS, the applicant states that the premises are
developed with a 2 story, basement and cellar frame build-
ing; that the basement story is of masonry construction, the
1st story is brick filled between studs; that the building at
its basement level is joined to a one story metal building at
the rear, erected under Alt. Applic. 12367/24 to be used as
an iron shop; that the buildings were combined under Alt.
Applic. 2626/52; and

WHEREAS, the applicant states that it is proposed to protect
the basement and cellar ceilings with one hour construction;
that it is proposed to make stairhall enclosing walls one hour
construction and install self-closing devices on all doors
opening to the stairhall and provide additional egress from
boiler room; and

WHEREAS, the applicant contends that in view of the fact
that the occupancy of the basement and 1st floor will be
limited to 6 persons each and 2nd floor to only 4 persons;
that although the 1st floor is of frame construction the walls
are brick filled; that the electrical shop is located in the
basement portion; that the grade condition is such that 40th
Road pitches down to permit direct exit from the basement
floor level to 40th Road; that additional outside stairs to
street will be installed as egress from boiler room; that it is
therefore requested that this application be granted; and

WHEREAS, under Calendar Number 216-54-A, Volume 1,

an appeal was filed from a decision of the Borough Super-
intendent, dated March 15, 1954, on Alt. Applic. 261/54,
disapproving of the alteration application on grounds that;

"Use of frame building as storage and office is con-
trary to C26-254.0.";

that in connection with this alteration application it was
proposed to demolish the 2nd floor of the building and to use
the basement for storage, 1st floor for office with an occu-
pancy of 2 persons; that this appeal was dismissed for the
lack of prosecution, April 3, 1956 and on April 24, 1956 the
Board voted to permit withdrawal of the appeal, after it had
been dismissed; and

WHEREAS, the records of the Department of Buildings
indicate that the frame building on a corner lot was re-
corded in the Department 1926 as used for business and 2
families; that the 1st story building located on the rear was
used as a shop and erected in 1924 of class 5 construction as
a 5 car garage and later changed to store use; that at that
time it was disclosed to the Board, that the 1st floor use
which was indicated to be for office use, consisted of using
a rip saw to manufacture tables and lamps in this building,
located in a business use district; and

WHEREAS, the premises was inspected by a committee of
the Board and the applicant's attention was drawn to the
fact that the uses were not the same as shown in the revised
statement; and the committee recommended that the appeal
should be granted on condition.

Resolved, that the decision of the Borough Superintendent,
dated November 12, 1958, acting on Alt. App. 2699/56, Ob-
jection No. 1 be and it hereby is *modified* and that the appeal
be and it hereby is *granted* to permit the occupancy of the
building as now proposed, namely, basement: storage of
electrical contractor's supplies; first floor: office and mail
room, six persons; second floor: office, four persons; *on*
condition that the building shall not be increased in height
or area and in all other respects shall comply with all laws,
rules and regulations applicable thereto; as shown on plans
filed with this appeal marked "Received November 7, 1958",
five sheets.

478-55-A

APPLICANT—Otto J. and Warren A. Sambach, for Ben
Beverly, owner; Ben Beverly Equipment Co., Inc., lessee.

SUBJECT—Application June 8, 1955—Appeal from a deci-
sion of the Borough Superintendent—re frame building—
factory use.

PREMISES AFFECTED—38-02 28th Street, southwest
corner of 38th Avenue, Block 386, Lot 16, Long Island
City, Borough of Queens.

APPEARANCES—

For Applicant: Warren A. Sambach.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keat-
ing, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent,
dated June 6, 1955 on Alt. Applic. 749/55, reads:

"(1) Proposed change of frame building to factory
on 1st floor is contrary to S270.2 of Labor Law. Note
bldgs. adjoining this building and within 25 ft. of same
are of frame construction."

and

WHEREAS, the applicant states that the building is 2
stories, 20 feet in height, 25 feet front by 38 feet 4 inches
in depth, of class 4 construction, erected 1900, located on
a lot 25 feet 4 inches by 82.45 feet in area, in a business
use, B area, class 1½ height district, and used and occupied:
Cellar—boiler room and storage; 1st floor—store used as
an office and a store used as a repair shop, 4 persons, 2nd
floor—2 apartments; that it is proposed to be used and
occupied: Cellar—storage of parts; 1st floor—1 store used
as an office, 4 persons and another store used as a repair

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shop, 2 persons; 2nd floor—2 apartments; that in addition there is a 1 car non-storage garage on the rear of the lot; that the building is provided with one 3 foot wide, interior wood stairs from 2nd floor to street, enclosed in fire retarded partitions equipped with wood doors which are not self-closing; that in addition there are scuttle and ladder to roof; that egress from the rear of the building is through yard, direct to street; and

WHEREAS, Violation #3791/54 was issued March 16, 1955 for changing occupancy of premises from store and dwelling to office and shop, without approval of the Department of Buildings; and

WHEREAS, the occupant was fined and convicted in Municipal Term Magistrate Court, June 9, 1955 on charge of violation of Section C26-185.0 of the Administrative Code; and

WHEREAS, the applicant states that the lessee sells and repairs fuel oil meters, counters, pumps, flow control valves, and other related parts to the fuel oil industry; that on March 30, 1948 the occupant purchased the premises and uses one store as an office and the other store for storage of new and used oil meters, counters, etc., and repair of such equipment by no more than three (3) mechanics at any one time; that application and plans were filed and after much discussion between the inspection and engineering divisions of the Department of Buildings, the objection herein appeal was issued; and

WHEREAS, the applicant contends that he has occupied the dwelling for 7 years and it would be a hardship to move his repair shop to another area or building of proper construction to allow a small repair shop to function together with the sales office; that prior to his purchase of the property it was owned by a refrigerator sales and repair company, who also used the premises for a repair shop and refrigerator equipment; and

WHEREAS, this appeal was dismissed September 17, 1957, and restored to the calendar June 3, 1958; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. App. 749-55, Objection No. One dated June 6, 1955, and that the appeal be and it hereby is *granted*, to permit the use of the premises as now proposed and as indicated on plans filed with this appeal marked "Received May 1, 1958", four sheets, and "October 24, 1958", one sheet, to permit the occupancy as proposed, namely, cellar: storage of parts; first floor: store used as office and one of the stores as repair shop; and two apartments in the upper story, *on condition* that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto.

564-56-A

APPLICANT—John J. Tricarico, for Carlton Associates, Inc., owner.

SUBJECT—Application August 14, 1956—Appeal from a decision re an order of the Fire Commissioner, re automatic hose valves—removal of.

PREMISES AFFECTED—1921-1937 7th Avenue, northeast corner of West 116th Street, Block 1901, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Tricarico and Eugene R. Canudo,

For Administration: Lieut. John Manfredi, Fire Dept.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Vice Chairman Keating,

Commissioner Kleinert and Commissioner Sleeper.... 4

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, Order No. 5600-5 issued by the Fire Commissioner, July 6, 1955, reads:

"1. Lower hose valve wheels within six and one-half feet of the floors or stair landings or of steps within two feet on a horizontal plane. C-26-1436.0 Subdiv. b-4 Adm. Code.

"2. Replace automatic hose valves throughout the premises with approved shut-off valves and hose racks. C26-1436.0 Subdiv.-d. Adm. Code."

and

WHEREAS, the decision of the Fire Commissioner, dated April 13, 1956, reads:

"In reply to your inquiry of April 10, 1956 requesting the approval of this department for the standpipe and fire hose installations in the above captioned building, you are hereby informed that your request must be denied because of the pendency of items 1 and 2 of our order 5600-5, which reads as follows—

"Item 1. Lower hose valve wheels within six and one-half feet of the floors or stair landings or of steps within two feet in a horizontal plane. Sec. C26-1436.0, Sub-div.4 and Sec. C19-161.0 Adm. Code.

"Item 2. Replace automatic hose valves throughout the premises with approved shut-off valves and hose racks. Sec. C26-1436.0, Sub-div. 6d and Sec. C19-161.0 Adm. Code."

and

WHEREAS, the decision of the Fire Commissioner, dated July 20, 1956, reads:

"With reference to your request concerning the acceptance of the so-called automatic hose valves installed in the above premises, the removal of which is required by item 2 of the above captioned order, you are hereby informed that the use of such valves is distinctly prohibited by sub-division d of Section C26-1436.0 of the Administrative Code.

"You are also informed that compliance with item 1 of that order is also required by sub-division b-4 of the same section.

"In view of the foregoing, this Department has no authority to accept the same and your request is therefore hereby denied.

"You are also informed that unless an appeal to the Board is made within thirty days from date, no further requests relative to the pending orders will be entertained by this Department."

and

WHEREAS, the applicant states that the building is 8 stories, 94 feet in height, 201 feet 10 inches front by 171 feet in depth, erected 1899, located on a lot in a retail, residence and business use, B area, class 1½ height district, and used and occupied as follows: Cellar—ordinary; 1st floor—9 families; 2nd, 3rd, 4th and 5th floors with 13 families each; 6th, 7th and 8th floors with 12 families each; that the building is provided with four 3 feet wide steel stairs, masonry enclosed, equipped with fireproof self-closing doors, leading from roof bulkhead direct to street; that there is an approved standpipe system in the building; and

WHEREAS, the applicant contends that the standpipe system was installed at a time when system and installation was approved and accepted by the Fire Department, and has been continuously in use since the date of installation; that compliance with the Order now issued by the Fire Commissioner would impose unjustifiable financial hardship on the owners; and

WHEREAS, the applicant contends that the lower height prescribed by the Code does not mean that the condition is dangerous at the building in question; that the height of the wheels are only slightly above the 6½ foot standard; that at the time they were installed they were in compliance with the requirements; that today they are well in the reach of firemen; that since the purpose of the valves is to supply water for firemen in the event of fire, they serve that purpose effectively; that nothing would be gained by compelling the owner to relocate them; that if these valves were lowered to be in the reach of youngsters they might well constitute

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an attractive nuisance; that there are two standard and 34 semi-automatic hose valves in the building; that in the semi-automatic installations there are hand-valves for manual control and the water goes through the hose only when the reels are pulled out; that it is an easy matter for firemen to shut off the water at these locations to connect their own hose; that the condition has existed for over 30 years; that the regulation, insofar as it affects this building, is arbitrary and capricious and serves no useful purpose; and

WHEREAS, the premises and surrounding area were inspected by a representative of the Fire Department who reported and recommended that the appeal should be denied; a committee of the Board inspected the premises and recommended denial of the unlawful condition.

Resolved, that the decision of the Fire Commissioner acting on Order No. 5600-5, dated July 6, 1955 be and it hereby is *affirmed* and that the application be and it hereby is denied.

8-58-A—Vol. II

APPLICANT—Larry Meltzer for Ariston Quality Exporters, owner.

SUBJECT—Application reopened July 1, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: provision of second means of egress; front fire escape is not acceptable, building being 7 stories in height.

PREMISES AFFECTED—20 Bond Street, north side, 6 feet 7½ inches east of Lafayette Street, Block 530, Lot 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Larry Meltzer and Michael Green.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 29, 1958, on Alt. Applic. 1765/57, reads:

"1. Provide second means of egress in accordance with Section 271 of the Labor Law. Present front fire escape is not acceptable, building being 7 stories in height."

and

WHEREAS, the applicant states that the building is 7 stories, 91 feet 7 inches in height, 25 feet 8 inches front by 93 feet in depth at 1st floor, 88 feet in depth at typical floor, of class 3 construction, erected 1894, located on a lot 25 feet 8 inches front by 100 feet and 100 feet 1¾ inches in depth, in an unrestricted use, B area, class 2 height district, and used and occupied since 1894 as follows: Cellar—ordinary, boiler room and storage; 1st floor—retail store, 4 persons; 2nd floor—office, sorting and baling of used clothing, 6 persons; 3rd floor—manufacturing of hat blocks, 2 persons; 4th floor—manufacturing caps, 5 persons; 5th floor—manufacturing of clothing, 15 persons; 6th floor—manufacturing of clothing, 12 persons; 7th floor—manufacturing of shoe ornaments, 6 persons; that no change in use or occupancy is now proposed; that the building is provided with an approved interior fire alarm system; that there is one 3 foot 1 inch wide wood interior stairs, enclosed in partitions of wire lath and plaster, equipped with steel self-closing doors and leading from roof bulkhead direct to street; that one fire escape on the front of the building, extending to street by counterbalance stairs; that window and door openings on the course of the fire escape are not fireproof self-closing; and

WHEREAS, Violation #4117 was issued June 18, 1957 by the Department of Buildings for failure to provide a second means of egress and to conform with Section 271 of the Labor Law; that Alt. Applic. 1765/57 was filed to remove such violation and the decision of the Borough Superintendent dated January 7, 1958 on such alteration was subject of an appeal to the Board under Calendar

Number 8-58-A, which appeal was denied by the Board April 8, 1958; and

WHEREAS, Violation #4117/57 was reissued by the Department of Buildings May 8, 1958 and Alt. Applic. 1765/57 was the subject of the decision dated May 29, 1958 which was the basis upon which the Board reopened this appeal under Calendar Number 8-58-A, Volume II, on July 1, 1958 to consider the appeal subject to regular procedure in view of the applicant's proposal to install a sprinkler system throughout the building; and

WHEREAS, the applicant states that the building is provided with one interior stair, completely enclosed with fire retarded partitions, with all doors thereto fireproof self-closing; that this stair leads to a bulkhead on the roof and directly to the street; that the existing secondary egress is the Labor Law fire escape with counterbalance stairs at the front of the building; that the windows on the course of the fire escape are double hung wood sash glazed with wire glass, equipped with fusible links; that the entire premises is equipped with an approved interior fire alarm system with A.D.T. service; and

WHEREAS, the applicant contends that area of a typical floor is less than 2000 square feet, and after deducting the stairs, elevators and toilets, is approximately only 1700 square feet; that the number of occupants is small; that none of the occupancies is of a highly hazardous nature; that each floor is occupied by a single tenant who has access to both means of egress; that it is proposed to install an approved automatic sprinkler system throughout the building; that it would be highly impracticable to provide a secondary means of egress in the form of a stairway; that the present exits which are safe and adequate which were legal until the retroactive provisions of the Labor Law were enacted should be accepted; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. App. 1765-57, Objection No. One and that the appeal be and it hereby is *granted*, to permit the continuation of the existing exit conditions *on condition* that the sprinkler system of at least one source as proposed shall be installed and maintained; that the exits as proposed including the primary stair, as proposed, and the front fire escape complying with the requirements therefor shall be permitted provided a fire alarm system is maintained in accordance with the requirements therefor.

356-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—506 West 185th Street, south side, 100 feet west of Amsterdam Avenue, Block 2156, Lot 15, Borough of Manhattan.

APPEARANCES—

For Applicant: Sydney Goldhammer and Morris Hannes.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated April 25, 1958, on Alt. Applic. 193/57, reads:

"3—Proposed change in use of class 4 bldg. from residence to commercial is contrary to 4.2.1.B-C."

and

WHEREAS, the applicant states that the building is 2 stories and basement, 26 feet in height, 18 feet front by 54 feet

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6 inches in depth, erected 1890, located on a lot 25 feet front by 79 feet 11 inches in depth, in residence use, B area, class 1 $\frac{1}{4}$ height district, and used and occupied since 1955 as follows: Cellar—boiler room and storage, no persons; 1st floor—dwelling, 1 family; 2nd floor—dwelling, 1 family; that it is proposed to be used and occupied cellar—boiler room and storage, no persons; 1st floor—offices, 7 persons; 2nd floor—toilet and vacant rooms, no persons; that the building will be provided with a Multiple Dwelling type sprinkler system in the hall; that there is one interior 30 inch wide wood stairs, unenclosed, equipped with sprinklers in compliance with the Multiple Dwelling Law; and

WHEREAS, Violation #8098 was issued December 29, 1955 for occupying the premises contrary to the use described in the N.B. Applic. 1432/1890 which calls for use as a residence; and

WHEREAS, the applicant contends that the building has a floor area of less than 1100 square feet including the porch on the 1st floor and under 100 square feet on the upper floor; that it is located on a lot 25 feet front by 79 feet 11 inches in depth; that it is proposed to use the 1st floor for offices with not over 8 persons and to maintain the boiler room in the cellar and the toilets will be used on the 2nd floor; that the balance of the 2nd floor will remain vacant and be provided with an access panel door for emergency use only; that it is proposed to provide sprinkler heads in all rooms used for offices and on the enclosed porch on the 1st floor, connected to the sprinkler line, which will be made to comply with the requirements of the Multiple Dwelling Law and the Rules of the Department for class B converted dwellings; that the toilet room on the 2nd floor will also be provided with a sprinkler head connected to such system; that the cellar stairs will be enclosed with 4 inch cinder concrete block equipped with one hour self-closing door at the foot of the stairs; and

WHEREAS, the applicant contends that in view of the small occupancy and the use for offices in connection with the Yeshiva University, it is requested that this appeal be granted; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal should be granted.

Resolved, that the decision of the Borough Superintendent, dated April 25, 1958, acting on Alt. App. 193-57, Objection No. 3 be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a term of five years to permit the occupancy of the building as proposed and as indicated on plans filed with this appeal marked "Received October 17, 1958", 3 sheets, *on condition* that the building shall not be increased in height or area and in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including the one source sprinkler system as proposed of the type permitted in converted multiple dwellings; that the occupancy shall not exceed the number of persons stated and confined as to offices on the first floor in connection with the Yeshiva University; and that the cellar stairs shall be enclosed as proposed.

357-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—510 West 185th Street, south side, 150 feet west of Amsterdam Avenue, Block 2156, Lot 13, Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Goldhammer and Morris Hannes.
ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 25, 1958, on Alt. Applic. 195/57, reads:

"2. Proposed change in use of class 4 building from residence to commercial is contrary to 4.2.1 B.C."

and

WHEREAS, the applicant states that the building is 2 $\frac{1}{2}$ stories, 34 feet in height, 20 feet 3 inches front by 41 feet in depth, of class 4 construction, erected prior to 1938, located on a lot 25 feet front by 79 feet 11 inches in depth, in a residence use, B area, class 1 $\frac{1}{4}$ height district, and used and occupied since 1955 as follows: Cellar—heating plant and storage, no persons; 1st floor—1 apartment; 2nd floor and attic combined—1 apartment; that it is proposed to be used and occupied; cellar—heating plant and storage, 10 persons; 1st floor—offices, 8 persons; 2nd floor and attic—2nd floor toilet, no persons and the balance of the 2nd floor and attic to remain vacant; that the building is provided with one 30 inch wide interior wood stairs, wood enclosed, equipped with wood self-closing doors; that stairhall leads to street and will be equipped with sprinklers in the stairhall in compliance with the Multiple Dwelling Law; and

WHEREAS, Violation #8097 issued December 29, 1955 for occupying the premises is contrary to Certificate of Occupancy #32372 which provides for residence use; and

WHEREAS, Certificate of Occupancy #32372 issued December 13, 1946 against Alt. Applic. 1720/46 permits the following occupancy: Cellar—heating plant and storage; 1st floor—1 apartment; 2nd floor—1 apartment; attic—1 bedroom in conjunction with apartment on 2nd story and 1 storage room; and

WHEREAS, the applicant contends that the building floor area including the porch is 1200 square feet in area and less than 1000 square feet on the upper floors; that it is proposed to use only the 1st floor and cellar with the toilets on the 2nd floor; that there will not be over 8 occupants on the 1st floor for office use; that there will not be any permanent occupants above the 1st floor except for the occasional use of the toilets; that the balance of the building will remain permanently vacant; that it is proposed to provide sprinkler heads on all rooms used for offices or supply rooms including the enclosed porch on the 1st floor, connected to the Multiple Dwelling type sprinkler system in the hallway; that the toilet room on the 2nd floor will also be provided with the sprinkler heads similarly fed; that the cellar stairs will be enclosed with 4 inch cinder blocks equipped with one hour self-closing door at the bottom; and

WHEREAS, the applicant requests that in view of the fact that the office will be used by the Yeshiva University for not more than 8 occupants, it is requested that this appeal be granted; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal should be granted.

Resolved, that the decision of the Borough Superintendent, dated April 25, 1958, acting on Alt. App. 195-57, Objection No. 2 be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a term of five years to permit the occupancy of the building as proposed and as indicated on plans filed with this appeal marked "Received October 17, 1958", 3 sheets, *on condition* that the building shall not be increased in height or area and in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including the one source sprinkler system as proposed of the type permitted in converted multiple dwellings; that the occupancy shall not exceed the number of persons stated and confined as to offices on the first floor in connection with the Yeshiva University; and that the cellar stairs shall be enclosed as proposed.

MINUTES

358-58-A

APPLICANT—Morris Hannes and Sidney Goldhammer, for Yeshiva University, owner.

SUBJECT—Application June 4, 1958—Appeal from a decision of the Borough Superintendent, re Class 4 construction, commercial use.

PREMISES AFFECTED—516 West 185th Street, south side, 120 feet east of Audubon Avenue, Block 2156, Lot 10, Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Goldhammer and Morris Hannes.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 25, 1958 on Alt. Applic. 194/57, reads:

"2—Proposed change in use of class 4 building from residence to commercial is contrary to 4.2.1 B.C."

and

WHEREAS, the applicant states that the building is 3 stories, 30 feet in height, 25 feet front by 35 feet 6 inches in depth, of class 4 construction, erected 1895, located on a lot 25 feet front by 79 feet 11 inches in depth, in residence use, B area, class 1¼ height district, and used and occupied since 1955: Cellar—boiler room; 1st and 2nd floors combined—1 family; 3rd floor—1 family; that it is proposed to be used and occupied: Cellar—boiler room; 1st floor—offices, 10 persons; 2nd and 3rd floors to remain vacant, except for toilet use; that the building will be provided with a Multiple Dwelling Law type sprinkler system in the stairhall; that there is one 30 inch wide interior wood stairs, unenclosed, leading direct to street and sprinklered; and

WHEREAS, Violation #8099 was issued December 29, 1955 for occupying the premises contrary to N.B. Applic. 1542/1895, which calls for use as a residence; and

WHEREAS, Certificate of Occupancy #34289 was issued July 21, 1948 against Alt. Applic. 214/47 permitting the following use and occupancy: Cellar—boiler room; 1st and 2nd story combined—1 family dwelling and accessory 3 car garage; 3rd story—1 family; and

WHEREAS, the applicant states that the building has less than 900 square feet area and it is located on a lot 25 feet front by 79 feet 11 inches in depth, of frame construction; that it is proposed to use the 1st floor for offices for not more than 10 persons and to maintain the boiler room in the cellar with only the toilets to be used on the 2nd floor and the balance of the building to remain vacant with an access panel provided for the vacant spaces on the 2nd and 3rd floors for emergency use; that it is proposed to provide sprinkler heads in all rooms used for offices on the 1st floor, connected to the one-source Multiple Dwelling sprinkler system; that it is proposed to provide a sprinkler head in the toilet room on the 2nd floor; that the cellar stairs will be enclosed with 4 inch cinder concrete blocks in one hour fireproof self-closing door at the bottom; and

WHEREAS, the applicant contends that in view of the fact that the office will be used by Yeshiva University for not more than 10 occupants, it is requested that this appeal be granted; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that the appeal should be granted.

Resolved, that the decision of the Borough Superintendent dated April 25, 1958, acting on Alt. App. 194-57, Objection No. 2 be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a term of five years to permit the occupancy of the building as proposed and as indicated on plans filed with this appeal marked "Received October 17, 1958", 3 sheets, on condition that the building shall not be increased in height or area and in all other respects the building and occupancy shall comply with all laws, rules

and regulations applicable thereto, including the one source sprinkler system as proposed of the type permitted in converted multiple dwellings; that the occupancy shall not exceed the number of persons stated and confined as to offices on the first floor in connection with the Yeshiva University; and that the cellar stairs shall be inclosed as proposed.

612-39-A—Vol. III

APPLICANT—Vito P. Battista, for Betty White, owner; Frank G. Rizza, lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—2739 Bedford Avenue, northeast corner of Farragut Road, Block 5225, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Vincent Pellerino.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III, on January 11, 1955, on certain conditions; and WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 21, 1940, and as thereafter amended by resolutions adopted through January 11, 1945, by adding thereto:

"that the use of this building may be as a nursing home and not as a convalescent home as previously stated." (Alt. 2954/58)

281-45-A—Vol. II

APPLICANT—Sirof and Silvertsen, for East 133rd Street Corp. and S. Hirschhorn and Stewart A. Hirschhorn, owners.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—608 East 133rd Street, East 132nd Street (rear) and Bruckner Boulevard, south side, 325 feet west of Cypress Avenue, Block 2546, Lots 19, 23 and 24, Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham N. Sirof and William E. Silvertsen.

ACTION OF BOARD—Application reopened as Vol. II subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

767-57-A

APPLICANT—David J. Levinson, for Ellray Holding Corp., owner.

SUBJECT—Application October 24, 1957—Appeal from an order and a decision of the Fire Commissioner, re iron bars on windows, etc.

PREMISES AFFECTED—180-30 Union Turnpike, south side, 280 feet west of Kent Street, Block 7229, Lot 33, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley..... 1

130-51-A—Vol. II

APPLICANT—Seymour A. Mitteldorf for Continent Corporation, owner, Electra-Craft Appliance Company, lessee.

SUBJECT—Application reopened June 24, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exit requirements.

PREMISES AFFECTED—348 West 42nd Street, north side, 175 feet east of 9th Avenue, Block 1032, Lot 57, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off calendar; referred back to examiner.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen Street Corporation, owner. The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to November 18, 1958, at 2 P. M.; applicant to report as to the passageway and to submit letter of the adjoining owner permitting the existence of a ladder from the rear roof as an exit across his premises.

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.

SUBJECT—Application reopened October 7, 1958, as Vol. II—Appeal from a decision of the Borough Superintendent, re use of frame building within fire limits for storage, etc.

PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

APPEARANCES—

For Application: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to December 2, 1958, at 2 P.M., for inspection and decision; hearing closed.

644-20-BZ—Vol. III

APPLICANT—Frederick A. Ketcher, for Bonsam Realty Corp., owner; Norwood Garage, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired July 17, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 21, 7i and 7h of the Zoning Resolution, to permit in a business use district, the reconstruction and maintenance of an existing building for use as storage garage, gasoline station and office, and for lubrication, car washing and 6 additional gasoline storage tanks and under 7i minor motor vehicle repairs with hand tools and under 7h parking and storage of more than 5 cars.

PREMISES AFFECTED—1522-1528 Southern Boulevard, northeast corner of East 172nd Street, Block 2982, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III, on July 17, 1956, on certain conditions; and

WHEREAS, the resolution was amended from time to time and last amended on September 10, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 16, 1920, as thereafter *amended* by resolutions adopted through July 17, 1956, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.”
(Alt. App. 227/56)

1305-25-BZ—Vol. II

APPLICANT—Nathan Lubroth, for Lovelane Automotive Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a and 7e of the Zoning Resolution, to permit in a business use district the alteration and extension of an existing garage for more than five (5) motor vehicles (existing garage granted by the Board).

PREMISES AFFECTED—42-50 Love Lane, and 1-9 College Place, northwest corner, Block 236, Lot 71, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Lubroth.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II, on September 29, 1936, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution as adopted on March 13, 1926, as thereafter *amended* by resolutions adopted through September 29, 1936, by adding thereto:

“that there may be an additional curb cut and door in the garage wall facing on College Place, provided the opening does not exceed 8 feet in width, with a ramp from grade to the floor of the building, as may be required, and as now shown on revised plan marked ‘Received October 16, 1958’, 1 sheet, and as passed on by the Borough Superintendent under Alt. Applic. 2727/58, Objection 1, disapproved September 22, 1958; and that in all other respects the requirements of the resolution above cited shall be complied with.”

381-27-BZ—Vol. IV

APPLICANT—Wm. S. Worrall, Jr., for The Cord Meyer Company, owner; Jackson-89th Street Garage Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired November 6, 1958—re Application, decision of the Borough Superintendent: previously granted on condition, under Sections 7h and 21 of the Zoning Resolution, permitting in a business and residence use district, the use of premises as a public garage for more than 5 motor vehicles in the cellar, and for public garage for more than 5 motor vehicles and a store on the 1st story and for public garage

MINUTES

for more than 5 motor vehicles on the 2nd story, and parking and storage for more than 5 motor vehicles on adjacent vacant land.

PREMISES AFFECTED—88-09 Roosevelt Avenue, north-side, from 88th to 89th Streets, Block 1476, Lot 34, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: William S. Worrall, Jr.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. IV, on May 7, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on November 6, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 29, 1927, as thereafter *amended* by resolutions adopted through May 7, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of this matter having been subject to Court review, preventing the tenant from proceeding, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 129/56)

189-29-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for 1236 East 17th Street Corp., owner Locust Garage Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, to permit in a residence use district, the change of use of an existing two story building from a public garage to boiler room, auto repairs and service, machine shop, lubritorium, parts department, storage, office, gasoline for own use, parking and storage of motor vehicles waiting service, body and fender work, minor auto repairs, washing room, incidental painting and spraying and welding.

PREMISES AFFECTED—1236-1246 East 17th Street and 1611-1623 Locust Avenue, northwest corner, Block 6736, Lot 15, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on June 11, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 11, 1957, only so far as it has reference to the proposed fire escape, so that as *amended* this portion of the resolution shall read:

"that the location of the fire escape may be as shown on revised plan, marked 'Received October 20, 1958'

1 sheet showing a four foot steel balcony with counter-balanced sliding drop ladder." (Alt. 3416/55)

534-30-BZ

APPLICANT—Nathan Lubroth for Lovelane Automotive Corp.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, to permit in a business district the conversion of the occupancy of an existing building to a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—24-26 College Place, east side, 220 feet 8 inches north of Love Lane, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan Lubroth.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 21, 1931, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 21, 1931, by adding thereto:

"that the opening at the front may be enlarged to a width of 13 feet, 3 inches and there may be an additional opening on the front to College Place, of similar width, with curb cuts of equal width in front of each opening herein referred to, and as passed on by the Borough Superintendent under Alt. Applic. 2728/58, Objection No. 1, disapproved September 22, 1958, and as shown on revised plan marked 'Received October 16, 1958,' 1 sheet, *on condition* that in all other respects the resolution above referred to shall be complied with."

235-35-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Levy Brothers, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7h of the Zoning Resolution, permitting in a retail use district portion of the plot, the extension in area and the extension of accessory building on existing gasoline service station, Lot 69 to be used as a gasoline service station, auto wash, non-automatic, lubritorium, motor vehicle repairs (previously denied, later granted by the Board) storage and sale of accessories and office, and permitting the extension of existing parking and storage and used car lot (Lots 60, 67) on the unbuilt upon portion of plot and permitting the parking and storage of motor vehicles and residence use district portion of plot (previously denied; later granted—re motor vehicle repair shop in existing gasoline station).

PREMISES AFFECTED—158-01 Rockaway Boulevard and 1165-02 144th Avenue, southeast corner and 165-01 144th Road, Block 13270, Lots 53, 55, 57, 58, 60, 67 and 69, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

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THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III, on July 21, 1953, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 21, 1953, to read as follows:

"on condition that along the lot line there shall be erected a woven wire fence of the chain link type not less than 5 feet, 6 inches in height, continuously from 144th Road to the line dividing the zoning districts, and from that point along 144th Road there shall be erected a masonry fence consisting of a masonry wall 2 feet high, and a steel picket fence above to a total height of not less than 5 feet 6 inches, with suitable masonry terminating posts; and amended as to the use of the premises to read: that the portion of the premises in the retail use district at the corner of 144th Road may be used for parking and storage of pleasure car type motor vehicles and that a new certificate shall be obtained." (Alt. App. 498-53)

986-40-BZ

APPLICANT—Sadie Goodman, present owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent: previously granted on condition, under section 7h of the Zoning Resolution, permitting partly in business and partly in residence use districts, the parking and storage of motor vehicles, for a term of years.

PREMISES AFFECTED—2201-2207 Surf Avenue and 2962-2970 West 22nd Street, northwest corner, Block 7057, Lot 35, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sadie H. Goodman.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 15, 1941, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on March 18, 1952; and

WHEREAS, the term of variance was extended from time to time and last extended on March 16, 1954; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 15, 1941, as thereafter amended by resolution adopted through March 16, 1954, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of 5 years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." (B.N. 1210/40)

370-42-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Anthony Ferrante Building Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the extension of existing auto

laundry and sale of accessories to include motor vehicle repairs, using more than the area permitted, and permitting the existing sign to remain.

PREMISES AFFECTED—9235 4th Avenue, east side, 233 feet 10 $\frac{7}{8}$ inches north of 94th Street and 9232-9238 5th Avenue, Block 6108, Lot 12, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Sleeper. 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on June 30, 1953, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on December 22, 1953; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 30, 1953, under Vol. II as thereafter amended by resolutions adopted on December 22, 1953, by adding thereto:

"that there may be an additional curb cut on the Fifth Avenue side, 15 feet in width, as shown on revised plan marked 'Received October 20, 1958', 1 sheet, as passed on by the Borough Superintendent under B. N. 2546/58, Objection 1, denied October 15, 1958; and that in the woven wire fence there shall be installed an additional gate opposite such proposed new curb cut; and that in all other respects the resolutions above cited shall be complied with." (Alt. 227/56)

447-48-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Hamax Holding Corporation, owner; Rayco Auto Seat Covers, Inc., Lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i, 7h of the Zoning Resolution, to permit in a local retail and residence use district, a one story extension to an existing one-story building used for sales display, storage and installation of auto seat covers, the extension is to be used for minor motor vehicle repairs limited to the installation and service of mufflers and to use the unbuilt upon portion of the premises for patron parking.

PREMISES AFFECTED—233-20 Northern Boulevard, southwest corner, Northern Boulevard and 234th Street, Block 8166, Lot 25, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II, on September 30, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on September 28, 1948, as thereafter amended by resolutions adopted through September 30, 1958, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

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"... granted under Section 7, Subdivision i and e for a term of 15 years from the date of this *amended* resolution, to permit.....; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 37/58)

541-51-BZ

APPLICANT—Goldwater and Flynn, for A.B.C. Television Co., Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a and 7c of the Zoning Resolution, to permit in a residence and business use district, the change in occupancy from garage for more than five motor vehicles and showroom to commercial uses (stores, offices, storage, paint and carpentry shops and garage for five cars).

PREMISES AFFECTED—2040-2052 Broadway, northeast corner of West 70th Street, Block 1142, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Louis R. Colman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 9, 1951, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 9, 1951, by adding thereto the following:

"that in the event the owner finds it necessary to install woodworking equipment in connection with the carpenter shop, such equipment may be permitted as now proposed and as passed on by the Borough Superintendent under Alt. Applic. 1382/58, disapproved October 8, 1958, *on condition* that such tools shall consist of small saws and jigs used in the preparation of machinery varying in size from one-half to two horse power and an occasional machine requiring a 5 h.p. motor; that such carpenter shop shall be used only in connection with the television activities of the American Broadcasting Corporation in designing and preparing scenery for use in television studios; that Certificate of Occupancy #39256 shall be amended so that the note will be in harmony with this resolution."

45-53-BZ—Vol. II

APPLICANT—Burke, Green & Groh, for Gabriel H. Luff, owners; Luff's Hardware, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a residence and retail use district, the parking and storage of more than five (5) motor vehicles for patron and employees of the adjoining hardware store, the parking to be on the residence portion of the plot.

PREMISES AFFECTED—254-01 Northern Boulevard, northeast corner of Westmoreland Street, Block 8138, Lot 42, Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: John J. Howley.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on May 13, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 13, 1958, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months of the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 1448/57)

807-55-BZ

APPLICANT—Paul Trapani, for Peter and Patrick DeSalvo, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired October 8, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business use district, the extension and maintenance of an existing service station, to include auto laundry and minor repairs.

PREMISES AFFECTED—4116 White Plains Avenue, southeast corner of East 230th Street, Block 4843, Lot 45, Borough of The Bronx.

APPEARANCES—

For Applicant: Paul Trapani.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 18, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 8, 1957; and

WHEREAS, the resolution was amended on April 29, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 18, 1956, as thereafter *amended* by resolution adopted on October 8, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that work is approximately 90% completed, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 1627/55)

452-56-BZ

APPLICANT—Frederick A. Ketcher, for Adolph C. Blochner, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired December 11, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a local retail and residence use district the parking and storage

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of more than five motor vehicles.
PREMISES AFFECTED—1172 Castle Hill Avenue, east side, 53.06 feet south of Gleason Avenue, Block 3820, Lots 5, 6 and 12, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 11, 1956, on certain conditions; and

WHEREAS, the applicant requested on extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 11, 1956, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.”
(Alt. App. 585/56)

136-57-BZ

APPLICANT—Leonard F. Rothkrug, for Wil-Sel Realty Corp., new owner; New York Lien Corp., former owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 22, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a one story building for retail stores with accessory patron and employee parking on part of the unbuilt upon portion of the premises for a term of 20 years.

PREMISES AFFECTED—4025-4045 Laconia Avenue, 1059-1067 East 227th Street, northwest corner and 1062-1072 East 228th Street, southwest corner of Laconia Avenue, Block 4874, Lots 4, 7, 8 and part of Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 22, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 22, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.”
(N.B. 1860/56)

717-28-BZ—Vol. II

APPLICANT—Jules Lewis, for Theodore Ornstein, owner.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 21 of the Zoning Resolution, permitting in a business district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—152-162 East 87th Street, south side, 25 feet, 2 5/16 inches east of Lexington Avenue, Block 1515, Lots 47 to 51, Borough of Manhattan.

APPEARANCES—

For Applicant: Jules Lewis.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

752-29-BZ—Vol. IV

APPLICANT—Leonard F. Rothkrug, for Walbell Real Estate Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7f of the Zoning Resolution, permitting in a business and unrestricted use district, the erection and maintenance of a building to be used as an automobile showroom display and sale of auto accessories and parts and motor vehicle repair shop incidental to authorized auto dealer's use and permitting a gasoline service station, for a term of 10 years (previously granted by the Board for parking and storage of more than 5 motor vehicles).

PREMISES AFFECTED—8801-8809 4th Avenue southeast corner of 88th Street, Block 6065, Lot 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened as Vol. IV, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4

Negative: 0

Absent: Commissioner Foley 1

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete and obtain Certificate of Occupancy, which has expired June 11, 1955—re Application, decision of the Borough Superintendent; previously granted on condition under section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt Avenue, west side, 208 feet, 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas F. Lawler.

ACTION OF BOARD—Application reopened and set for hearing on December 2, 1958, in view of time to complete having expired on June 11, 1955, subject to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent which has been filed, and two publications in the Bulletin as notice.

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THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

384-50-BZ—Vol. II

APPLICANT—Tito Di Vincenzo, for Edward Wilson and Catherine Kennedy, owners.

SUBJECT—Application for consideration—reopening as Vol. II, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a business building. (stores).

PREMISES AFFECTED—9 Hillside Avenue, southside, 102 feet 2 inches east of Broadway, Block 2170, Lot 104, Borough of Manhattan.

APPEARANCES—

For Applicant: Carmine Immediate.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

651-56-BZ

APPLICANT—Harry G. Savran, for Mabel F. Fredericks, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired June 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of motor vehicles.

PREMISES AFFECTED—514-516 West 168th Street, south side, 120 feet, east of Audubon Avenue, Block 2123, Lots 86 and 87, Borough of Manhattan.

APPEARANCES—

For Applicant: Harry G. Savran.

ACTION OF BOARD—Application reopened and set for hearing on December 2, 1958, at 10 A.M. waiving all requirements except a new decision of the Borough Superintendent, which has been filed, and two publications in the Bulletin as notices, time to complete having expired on June 10, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

222-57-BZ—Vol. II

APPLICANT—J. L. M. Molloy, for Embers Realty Corp., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 21 of the Zoning Resolution, to permit in a F area district, the erection of a six story and cellar Class A, Multiple Dwelling which was later amended to call for nine stories with reduction as to base coverage.

PREMISES AFFECTED—87-01 to 87-11 Midland Parkway and 180-02 to 180-16 Wexford Terrace, southeast corner, Block 9944, Lot 1, Borough of Queens.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0

Absent: Commissioner Foley 1

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., owner.

SUBJECT—Application for consideration—restoration to docket—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubritorium, non-automatic, auto laundry, sale of auto accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: D. George Levine.

ACTION OF BOARD—Application reopened and restored to the docket; previously withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

1001-55-BZ

APPLICANT—Leonard F. Rothkrug, for Judith Feldman, owner.

SUBJECT—Application December 20, 1955—decision of the Borough Superintendent, under section 7i and 21 of the Zoning Resolution, to permit in a residence use, C area district, the erection of an extension between two buildings that exceeds the permitted area coverage and the change in use from soda water factory to automobile repair shop.

PREMISES AFFECTED—2839 West 23rd Street, east side, 315 feet south of Neptune Avenue, Block 7016, Lot 72, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application withdrawn on statement by applicant that owner of property is unavailable.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

840-28-BZ—Vol. II

APPLICANT—Henry C. Brucker, for Osbruck Realty Company, Inc., owner; Central Bell Service Station, lessee.

SUBJECT—Application reopened November 6, 1957 as Vol. II—decision of the Borough Superintendent, under section 7c, 7i and 21 of the Zoning Resolution, to permit in a business use district, the extension of an existing gasoline service station by enlarging the existing building for use as a lubritorium, motor vehicle repair shop (power tools) and office in conjunction with the existing uses previously granted by the Board.

PREMISES AFFECTED—64-02 Central Avenue, southwest corner of Cypress Hills Street, Block 3639, Lot 1, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

783-57-BZ

APPLICANT—Ervin Palmer, for 303 East 62nd Street Corp., owner; Allied Parking Corp., lessee.

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SUBJECT—Application October 31, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence and retail use district, the extension of parking and storage of more than five (5) motor vehicles into the residence portion of the premises. PREMISES AFFECTED—1180-1188 Second Avenue and 301-305 East 62nd Street, northeast corner, Block 1437, Lots 1-5 inclusive, Borough of Manhattan.

APPEARANCES—

For Applicant: Stuart Eisen.

ACTION OF BOARD—Application dismissed at request of the applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

381-57-BZ

APPLICANT—Abram Shlestein, for Sam Mintz, owner. SUBJECT—Application May 10, 1957—(decision of the Borough Superintendent) under section 7f, 7i & 7A of the Zoning Resolution, to permit in a retail use district, erection of a gasoline service station with motor vehicle repairs, parking of cars awaiting service with signs and show window within 75 feet of a residence use district. PREMISES AFFECTED—7902-7924 Flatlands Avenue, south side, from East 79th to East 80th Streets, 901-909 East 79th Street and 902-910 East 80th Street, Block 8016, Lots 38, 40, 42 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

283-50-SA—Vol. II

APPLICANT—Automatic Burner Corporation, owner. SUBJECT—Application for consideration—reopening as to additional trade name—re ABC Oil Burner, Models 62 and 64, trades names National US Oil Burner, Models 64-3-6065 and 62 and 64 to be marketed by Thatcher Furnace Company, under trade name of Thatcher Oil Burner, Models 751-5 and 751-6; previously approved.

APPEARANCES—

For Applicant: W. A. Doermann.

ACTION OF BOARD—Application reopened for additional trade name.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

718-55-SA

APPLICANT—Empire Stove Company, owner. SUBJECT—Application for consideration—reopening for added models—re Empire Gas Furnaces, Models W-50, W-75, W-100, W-125, W-150, W-175, 75C, 100C, 125C and 150C; previously approved.

APPEARANCES—

For Applicant: Howard A. Simmons.

ACTION OF BOARD—Application reopened for test and report as to additional model.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

249-56-SA—Vol. II

APPLICANT—The Wayne Pump Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II for additional model—re Wayne Power-Operated Discharge Device (for dispensing fuel, including gasoline) Models 600, 605 and 605X; previously approved.

APPEARANCES—

For Applicant: Donald A. McCutcheon.

ACTION OF BOARD—Application reopened for test and report as to additional models.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Sleeper 4
Negative: 0
Absent: Commissioner Foley 1

Adjourned: 4:25 P.M.

JOSEPH J. DOYLE. *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 28, 1958, as they appeared in Bulletin No. 44, Vol. 43, hereby corrected to read as follows:

300-48-BZ

APPLICANT—Lama, Proskauer and Prober, for Mario Pulese, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry and motor vehicle repair shop on the same lot as existing one family frame dwelling and four-car concrete block garage.

PREMISES AFFECTED—8501-8507 Flatlands Avenue and 765-775 East 85th Street, northeast corner, Block 8006, Lots 7 and 9, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Alfred M. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5
Negative: 0

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 13, 1948, on certain conditions; and

WHEREAS, the resolution was amended from time to time and last amended on May 29, 1951; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 13, 1948, as thereafter *amended* by resolutions adopted through May 29, 1951, only so far as it refers to the terms of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivisions f and i for a term of ten (10) years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within three months from the date of this *amended* resolution.” (Alt. App. 237/48 Misc. App. 4409/49)

*Correction—The name of applicant corrected to read “Lama, Proskauer and Prober” in place of “Ribelle V. Perotto” as indicated in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 7, 1958, as they appeared in Bulletin No. 41, Vol. 43, hereby corrected to read as follows:

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671-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Ruth Gould, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 24, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7h and 7A of the Zoning Resolution, permitting in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, high speed laundry, office, store, parking and storage of motor vehicles in an unbuilt upon portion of the plot with the vehicular entrance and exit, windows and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1249-1265 Sutter Avenue, north side, from Euclid Avenue to Doscher Street, 566-578 Euclid Avenue and 167 Doscher Street, Block 4249, Lot 55, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper..4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 24, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 24, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have *not* been approved by the Department of Buildings, that all permits required, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 1543/56)

* Correction—In the resolution "the statement by the applicant that plans have been approved by the Department of Buildings," corrected to read that such plans have *not* been approved, etc., as indicated in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 7, 1958, as they appeared in Bulletin No. 41, Vol. 43, hereby corrected to read as follows:

702-52-BZ—Vol. II

APPLICANT—Reginald S. Hardy, for H. C. Bohack Co., Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under Sections 7e, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district, a one story extension to the present one story retail market, the proposed extension will occupy more than the permitted area and enlarge the existing market and provide three (3) new stores, with a new curb cut and show windows within 75 feet of the residence use district.

PREMISES AFFECTED—66-42 to 66-54 Fresh Pond Road and 60-76 to 60-86 Woodbine Street, southwest corner, Block 3529, Lots 66 and 73, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: William Kurtzrock, Robert F. Wasmund and William Ringwald.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Commissioner Kleinert 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 22, 1958 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on September 23, 1958 after due notice by publication in the Bulletin; laid over to October 7, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Woodbine Street and Madison Street are in retail and residence use, C area, class 1 height districts; Fresh Pond Road is in a retail use, C area, class 1 height district; 60th Place is in a residence use, C area, class 1 height district; that the portion of the premises within 100 feet of Fresh Pond Road is located within a retail use district and the remainder is in a residence use district; that the portion of the premises in the retail use district was formerly in a business use district; that the present zoning designation became effective on November 18, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated March 12, 1958 acting on Alt. Applic. No. 358-58, reads:

"1. The extension of the use of the premises as a retail food market occupies more than permitted area in a C area district and is contrary to Art. IV Sec. 13(b) of Zoning Resolution and is contrary to Board of Standards and Appeals Res. 702-52-BZ and is referred back to the Board for reconsideration.

"2. Proposed extension of use of the residence part of the plot for a business curb cut and truck driveway is contrary to Art. 2 Sec. 3 of Zoning Resolution and contrary to Bd. of S. & A. Res. 702-52-BZ and is referred back to the Board for reconsideration.

"3. Show window located less than 75' from residence use district is contrary to Art. II Sect. 7A of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 105 feet 3¾ inches frontage by 102 feet 10 inches in depth; that it is proposed to raze the building on the northerly portion of the premises—lot 66—and erect a one story extension of the store on the southerly portion—lot 73—thereon; that the extension will be one story in height to conform to the existing building in the southerly portion of the premises, and will occupy the entire frontage of the property along Fresh Pond Road; that it will have a maximum depth of 90 feet 3 inches, the rear wall being a continuation of the rear wall of the existing building on the southerly portion of the plot; that as a result a driveway, 18 feet in width will be maintained across the rear of the property extending from Madison Street to Woodbine Street; that this driveway will afford facilities for off the street loading and unloading; that the southerly portion of the proposed extension, having a frontage of 56 feet on Fresh Pond Road, will be used as part of the present Bohack store; that the remainder of the extension, located at the corner of Fresh Pond Road and Woodbine Street, will be divided into three units; that the larger of these units, located at the corner, will have a frontage of 30 feet 4¾ inches and a depth of 60 feet; that although final commitments have not been made, this is intended to be used as a sub-station of the United States Post Office Department; that the rear portion of the property; fronting on Woodbine Street, is to be divided into two small units, each 12 feet in frontage by 30 feet in depth, to be occupied

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by neighborhood service establishments; and

WHEREAS, the applicant states that the portion of the premises known as lot 73 was acquired by H. C. Bohack Co. Inc. by deed dated October 1, 1948; that this property; however, was owned prior to that time by an affiliated corporation, Bohack Realty Corporation, which had acquired it by virtue of two deeds dated May 16, 1946 and September 5, 1947, respectively; that the remainder of the premises was acquired by H. C. Bohack Co. Inc. on December 19, 1957; and

WHEREAS, the applicant further states that the southerly portion of the premises—block 3529, lot 73—was the subject of a prior application to the Board under Cal. No. 702-52-BZ which was granted on July 17, 1953; that in accordance with the Board's Resolution, the owner has erected a one story retail store on this portion of the property, which store has a frontage of 63 feet, 10 $\frac{7}{8}$ inches and a maximum depth of 94 feet, 3 $\frac{1}{8}$ inches; that a space, having a uniform width of 18 feet, along the westerly lot line is used as a driveway and for loading and unloading of merchandise; that the property is occupied pursuant to Certificate of Occupancy No. Q-97152, issued on July 19, 1954; that the balance of the subject premises is now occupied by a one story building which has been divided into five retail stores; that this building, which was erected more than 30 years ago, is in a dilapidated and run down condition; that two of the stores are now vacant and the remaining three are occupied as a beauty parlor, fruit store and radio repair shop; that Certificate of Occupancy No. 700 issued December 14, 1928 permits this portion of the premises to be used as an automobile showroom; that as far as can be determined, no later Certificate has been issued; and

WHEREAS, the applicant states that the first objection relates to the fact that the proposed building will occupy a greater percentage of the premises than is permitted by the Zoning Resolution; that the present Bohack store has proved to be completely inadequate to serve the needs of the community, and in order better to accommodate its customers, the Company acquired the balance of the block front to the north of its store and now seeks to extend its building over that parcel; that the plans of the proposed building—Plan No. 1—show that the rear wall of the proposed extension will be a prolongation of the rear wall of the existing store; that while it is true that this extension will occupy more than the allowable area under the Zoning Resolution, it is also true that the present buildings occupy a greater percentage of the plot than the area district restrictions allow; that plan of existing conditions show that the present building is so designed that much of the vacant area of the plot is in the center portion where it is of no benefit to the adjoining or abutting property; that for instance, the westerly wall of the existing building is erected along the rear property line for a distance of about 21 feet from Woodbine Street; that it is then set back about 7 feet for a distance of approximately 38 feet, and as a result this wall is located on or very near the lot line for 60 feet of its total length of 86 feet 7 $\frac{1}{2}$ inches; that the rear wall of the proposed building, however, will be 18 feet from the property line, thereby providing an open space between the proposed building and the building on the adjoining property—lot 63—of slightly more than 27 feet in width; that in Volume I of this application, facts and circumstances were pointed out which rendered it necessary for the owner to utilize more of its property than would be permitted by the Zoning Resolution; that the conditions which prevailed at that time still exist and still require the use by the owner of a greater percentage of the property than the Zoning Resolution contemplates; that to require the owner to comply with the area district regulations would serve no useful purpose and would benefit no one; that the building now on this portion of the property exceeds the allowable coverage and because of its design, it leaves little or no space between the westerly wall of the building and the adjacent property; that the present proposal will leave a rear yard of 18 feet thereby creating an open space of not less than 27 feet between the two

buildings; that no other property would be affected by this application; that the business of H. C. Bohack Co. has increased to such a degree that it can no longer serve its customers in the present store and it finds it absolutely necessary to seek additional property; that to require it to conform to area district restrictions would be to compel it to erect an irregularly shaped building which of course would be very undesirable; and

WHEREAS, the applicant further states that the area of the portion of the subject premises affected by this application is 9139 square feet; that the area of such portion in the retail use district is 8644 square feet; that the allowable building area under Section 13 of the Zoning Resolution is 5936 square feet; that the area of the proposed extension is 7580 square feet and the excess coverage therefore is 1644 square feet; that the area of the present buildings on this portion of the premises is 6493 square feet; and

WHEREAS, the applicant states that the second objection raised by the Borough Superintendent has to do with the fact that a portion of the driveway in the rear of the property and the curb cut leading thereto is in the residence use district; that it is to be noted that all of the proposed extension is located within a retail use district, but a small portion of the driveway leading to the loading area, however, is in the residence use district; that this portion is slightly less than 3 feet on Woodbine Street and extends to approximately 8 feet opposite the southerly end of the extension; that no part of the curb cut is within the residence use district, all of it being in the retail district; that in its action on July 17, 1953 the Board permitted the use of the rear portion of the original property for driveway, loading and unloading purposes, and the present application would continue that use throughout the remainder of the property, with the result that trucks will be able to enter the property from Madison Street and exit through Woodbine Street; that this would eliminate the necessity of any truck backing across the sidewalk and will result in fewer crossings of the sidewalk on Madison Street; that the design of the proposed improvement will afford loading facilities thereby eliminating any on-street loading and unloading; and

WHEREAS, the applicant states as to the third objection of the Borough Superintendent, that the owner anticipates using the premises located at the corner of Woodbine Street and Fresh Pond Road as a substation of the Post Office Department; that the Department, however, is able to use only a limited amount of property, not exceeding 1800 square feet; that some of the tradesmen in the area have evidenced a desire to rent the space thus left at the rear of the property for use as small service establishments, such as radio or shoe repair shop, etc.; that in fact, some of the present occupants of the property have indicated a desire to remain if the area will accommodate their business; that the owner has therefore provided for two small store units in the rear of the proposed Post Office, each having a frontage of 12 feet and a depth of 30 feet; that they will be used solely for neighborhood type service establishments and will serve as a convenience to the people living in the area; that attention is directed to the fact that the existing building had garage facilities located at the rear, entrance to which was had from Woodbine Street; that the proposed occupancy would be considerably more desirable; and

WHEREAS, the applicant states that the fourth issue has had to do with the restriction imposed by the Board, in its Resolution of July 17, 1953 requiring that the building thus permitted "shall not be further increased in height or area;" that the proposal, of course, involves an increase in the area of the building; that even if the proposed extension did not contravene the area restriction imposed by the Zoning Resolution, an amendment of this Resolution of the Board will be required in order to permit the owner to proceed with its plans; and

WHEREAS, the applicant states that the present owner had held title to the property since October 1, 1948 and December 19, 1957; that the assessed valuation of the land is \$41,000 and of the building \$79,000 making a total of \$120,000; that the building was erected in 1954; and

MINUTES

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this was laid over for consideration of the objections raised at the hearing and that has been done and the Committee of the Board is of the opinion that if the cars enter solely from Woodbine Street, which is one way west, they will not have to go in front of any house on Woodbine Street and if they come out on Madison Street they will not have to pass any house on that street to get to Fresh Pond Road, and the Committee recommended that the application should be granted on that basis; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21, and is therefore entitled to relief, as to area, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is granted under Section 7e and 21 for a term of 25 years to permit the construction of an addition to the existing store building as previously permitted by the Board with driveway as shown, *on con-*

dition that there shall be erected on the rear lot line for a distance of one hundred feet from the Woodbine Street building line a masonry wall of face brick not less than 5 feet 6 inches in height; that there may be a curb cut at Woodbine Street not over 15 feet in width which shall be fitted with gates at the building line driveway; that all trucking shall be northerly from Fresh Pond Road west on Woodbine Street turning into the driveway and out of the driveway to Madison Street and south to Fresh Pond Road; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the requirements of the resolution previously granted by the Board under Vol. I shall be complied with as to the driveway across part of the premises subject to renewal of the easement which the Board is advised has been extended to terminate December 31, 1973; that such driveway from Woodbine Street and Madison Street shall be properly paved; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

* Correction—In the applicant's statement, in the fifth whereas preamble, reference to a driveway "18 inches" in width, corrected to read "18 feet" in width, as indicated in italics.

RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. **Board of appeals.** 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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No. 47

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COURT DECISION

Matter of Warshauer Haym Salomon Home for the Aged vs. Murdock:—On December 3, 1957 the Board granted a variance under Section 7, subdivision e, to permit in a residence use district the erection and maintenance of a gasoline service station, auto washing non-automatic, lubrication, office, sale of auto accessories and parking of cars awaiting service, for a stated term of fifteen (15) years: Cal. No. 239-57-BZ, Premises 2342-2356 Cropsey Avenue, south side, 77 feet 11¼ inches west of 24th Avenue, Block 6925, Lot 61 and (temporarily) part of Lot 86, Borough of Brooklyn.

At Special Term, Supreme Court, Mr. Justice Baker sustained the decision of the Board and dismissed the certiorari. The court answered six points raised, as follows, citing cases as grounds to substantiate the opinions:

1. that the Board had power to grant the variance in a residence district under Section 7, subdivision e.

2. that Section 7, subdivision e, is constitutional.

3. that the Board was correct in finding that the use of the home is not a hospital maintained as a charitable institution under Section 21A.

4. that the Board is not required to answer every contention of the applicant; that findings of fact and the basis for its determination are clearly set forth in the return where, by statute, they are required to be stated; these findings based not alone on the evidence in the record but also on facts known to the Board members by reason of their experience and by reason of an inspection by a committee of the Board of the subject premises and the surrounding area furnish ample basis for the Board's decision.

5. that it cannot be said for reasons stated above that the Board acted arbitrarily or capriciously; that this being so, the court is without jurisdiction to set aside the determination.

6. that there is no merit in the contention that the procedure of the Board tended to deprive petitioner and other objectors of a full and fair hearing. (N.Y. Law Journal, November 19, 1958, pages 13 and 14).

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646-58-SA—Peelle Interlock, Type UA-3 and Lock and Contact Type UA-4, manufactured by The Peelle Co., Appliance.

647-58-SM—Serolite (air entraining agent for concrete), manufactured by L. Sonneborn Sons, Inc., Material.

648-58-BZ—B.Q.—31-65 138th Street, northeast corner of 32nd Avenue and 31-90 140th Street, Block 4411, Lot 1, Flushing, Borough of Queens, N.B. 2841-57—multiple dwelling within 2 miles of an Airport, etc.—residence use district.

649-58-BZ—B.Q.—29-10, 29-30 and 29-50 137th Street, southwest corner of Whitestone Avenue, Block 4371, Lot 8, Flushing, Borough of Queens, N.B. 2407-58—re 6 story and cellar multiple dwelling in $\frac{3}{4}$ height district, etc.—residence use district.

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652-58-A—B.M.—31 West 9th Street, north side, 413 feet, 6 inches west of 5th Avenue, cellar; Block 573, Lot 60, Borough of Manhattan, Alt. 1581-58—re multiple dwelling—converted class a M.D., cellar apartment, etc.

653-58-BZ—B.Bx.—2985 Edson Avenue, southwest corner of Adeo Avenue, Block 4797, Lot 1, Borough of The Bronx, N.B. 62-58—re gasoline service station, lubritorium, minor repairs, car washing, parking of motor vehicles, etc.—residence use district.

654-58-A—B.B.—2924-2926 West 22nd Street, west side, 210 feet, 7 inches south of Mermaid Avenue, Block 7057, Lot 20, Borough of Brooklyn, Alt. 196-58—re frame building for public use.

655-58-A—B.Bx.—2119 Edenwald Avenue, north side, 30 feet west of Monticello Avenue, rear yard; Block 5027, Lots 33 and 34, Borough of The Bronx, Decision re grade at rear of premises, etc.

656-58-A—B.Bx.—4111 Monticello Avenue, west side, 100 feet north of Edenwald Avenue, Block 5027, Lot 29, Borough of The Bronx, Decision—re grade at rear of premises, etc.

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425-53-A—Vol. II—B.Q.—103-45 Lefferts Boulevard, east side, 132.59 feet north of Liberty Avenue, 1st floor, Block 9557, Lot 48, Richmond Hill, Borough of Queens, Alt. 2303-58—re increase in area.

746-57-A—B.M.—147-149 West 22nd Street, north side, 249 feet 6 inches east of 7th Avenue, Block 798, Lot 17, Borough of Manhattan, Alt. 1193-57—reopened and restored to docket—re egress.

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369-57-SM—Beehive Anchoring System and Accessories, Bee Claws, Bee Clips, Bee-Nut with Spring, Bee-Nut (plain) and Bee-Nut with Loop, manufactured by Gateway Engineering Co.; reopened for test and report for amendment for use with concrete of aggregate approved, Material.

188-53-SM—Latta Bond Mortar Mix—for use on block, brick, tile, stone, stucco, scratch or brown coat, manufactured by Latta Brook Corp.; reopened for report as to additional trade name, Material.

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621-24-BZ—Vol. III—B.M.—234-240 East 54th Street, south side, 100 feet west of 2nd Avenue, Block 1327, Lot 29, Borough of Manhattan, Amendment to Alt. 142-55—reopened for consideration as to extension of time to complete—re parking of motor vehicles on the roof of existing three story garage—business use district.

573-56-BZ—B.M.—335 West 49th Street, north side, 275 feet east of 9th Avenue, Block 1040, Lot 12, Borough of Manhattan, Amendment to Alt. 181-55—reopened for consideration as extension of time to complete—re change in use to factory (iron works) and storage, etc.—retail use district.

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Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
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Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	June 7, 1932—Vol. 17, No. 23
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	Sept. 3, 1946—Vol. 31, No. 36

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

NOVEMBER 25, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning November 25, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adea Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1601-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

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793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

421-58-BZ

APPLICANT—Department of Public Works, Albert B. Bauer, for City of New York, owner.

SUBJECT—Application July 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a Class 1½ height district, the erection of an eight (8) story building with less than the required setbacks on the upper floors, thereby exceeding the permitted height.

PREMISES AFFECTED—205-235 East 20th Street, north side, 75 feet, east of 3rd Avenue, Block 901, Lots 6, 9, 14, 40, 41, 42, 43, 44, Borough of Manhattan.

443-58-BZ

APPLICANT—Leonard F. Rothkrug, for Meadow Gold Products Corporation, owner.

SUBJECT—Application July 22, 1958—decision of the Borough Superintendent, under section 19A subsection j, of the Zoning Resolution, to permit in an unrestricted use, A area district, a voluntary loading berth to be used in conjunction with the existing Ice Cream manufacturing plant, less than 25 feet from the intersection.

PREMISES AFFECTED—775-779 Kent Avenue, southeast corner of Little Nassau Street, Block 1884, Lot 18, Borough of Brooklyn.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Queens Village, Borough of Queens.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zon-

ing Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

551-57-BZ—Vol. II

APPLICANT—Hurley Kearney and Lane, for Samuel Eidelberg, and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings Bank building thereon and the use of the unbuilt upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

594-50-BZ—Vol. II

APPLICANT—Alvin F. Golankiewicz for Frank Golankiewicz and Roman Golankiewicz, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot consisting of three lots, the extension of a parking lot, previously granted by the Board and located on the westerly 62 feet of the premises, to occupy the entire plot.

PREMISES AFFECTED—649-659 East 225th Street, north side, 205.02 feet east of Carpenter Avenue, Block 4827, Lots 29, 34, and 36, Borough of The Bronx.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Valentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

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441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for inspection and decision; hearing closed; then to November 25, 1958, for continuation of the roll call of the members of the Board; and for preparing record of prior applications and court review.

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958,

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at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision; then to November 25, 1958, at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102. Lots 19 and 35, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 Baychester Avenue, northwest corner of East 222nd Street, Block 4880, Lots 23 and 30, Borough of The Bronx.

Laid over from November 5, 1958, to November 25, 1958, for applicant to file revised plans showing pumps back fifteen feet from the street building line and for inspection and decision; hearing closed.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hands tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

Laid over from November 5, 1958 to November 25, 1958, for inspection and decision; hearing closed.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber, owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707. Lot 16, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed.

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

Laid over from November 5, 1958, to November 25, 1958, for inspection if necessary and decision; hearing closed.

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344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re (decision of the borough superintendent) under section 7e, of the zoning resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

Laid over from October 30, 1956 to November 27, 1956, to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957, at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958, then November 25, 1958, for inspection and decision; also for statement from the Park Department; hearing closed.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the borough superintendent—re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubricatorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

Postponed from September 17, 1958, to September 30, 1958, at the request of an objector, applicant concurring; then to October 21, 1958, for inspection and decision; hearing closed; then to November 12, 1958, for further inspection and decision; then to November 25, 1958 for further inspection and decision.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 25, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, November 25, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

881-53-SM

APPLICANT—Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., owner.

SUBJECT—Application December 10, 1953—Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive, approval of.

408-49-SM

APPLICANT—Firedoor Corp. of America & Spartan Steel Products, owners.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to change of ownership—re World 3 Hour Hollow Metal Fire Door (panel and flush type); previously approved.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessec, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change in exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196.23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

416-58-A

APPLICANT—Leonard F. Rothkrug, for Frank Debski, owner.

SUBJECT—Application filed June 26, 1958, pursuant to Section 310 of the Multiple Dwelling Law for variation of provision of Section 172 of the Multiple Dwelling Law relating to rear yard.

PREMISES AFFECTED—45 University Place, east side, 84 feet north of East 9th Street, Block 561, Lot 3, Manhattan.

552-37-A—Vol. IV

APPLICANT—Wechsler and Schimenti, for Russell B. Booth, owner.

SUBJECT—Application reopened May 28, 1957 as Vol. IV—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens.

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.

SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.

PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

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166-58-A

APPLICANT—Robert Teichman, for E and A Building Corp., owner; Fisher Scientific Co., lessee.

SUBJECT—Application March 19, 1958—Appeal from an order and a decision of the Fire Commissioner re packaging of volatile and inflammable oils in Glass Bottles; capacity of bottles not in accordance with Administrative Code Requirements.

PREMISES AFFECTED—75-89 Morton Street, 633-635 Greenwich Street, northeast corner and 99-101 Barrow Street, Block 603, Lot 49, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 2, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 2, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricatory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to

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section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubritorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons, cars for Riccardo's Restaurant on Block No. 876, Lot No. 15 (fee to be charged).

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

649-56-BZ

APPLICANT—Henry Nordheim, for Ignazio Arnone, owner.

SUBJECT—Application reopened November 5, 1958 for consideration as to extension of time to complete, expired July 23, 1958—decision of the Borough Superintendent, previously granted on condition under sections 7b and 21 of the Zoning Resolution, permitted in a residence and unrestricted use district, the erection of a one story non-storage garage.

PREMISES AFFECTED—911 Sacket Avenue, north side, 94 feet east of Bronxdale Avenue, Block 4058, Lots 25 and 26, Borough of The Bronx.

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application reopened November 12, 1958 for consideration as to extension of time to complete, expired June 11, 1955—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a business use district, reconstruction of three (3) buildings two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt Avenue, west side, 208 feet 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn.

651-56-BZ

APPLICANT—Harry G. Savran, for Mabel F. Fredericks, owner.

SUBJECT—Application reopened November 12, 1958 for consideration as to extension of time to complete, expired June 10, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of motor vehicles.

PREMISES AFFECTED—514-516 West 168th Street, south side, 120 feet east of Audubon Avenue, Block 2123, Lots 86 and 87, Borough of Manhattan.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side

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yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958, for inspection and decision; hearing closed; then to December 2, 1958, at the request of the applicant to submit a complete report of the conditions to the Board and statement as to occupancy by three families as indicated by the three bells at the side door.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; hearing closed.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; applicant to submit corrected plans; hearing closed.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Ruschiana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; applicant to report to the Board as to closing the existing entrances to East 11th Street in the residence use district, hearing closed.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; applicant to file revised plan showing corrected arrangement of proposed building as extended, hearing closed.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the

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Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

Laid over from November 18, 1958, to December 2, 1958, for applicant to file new decision of the Borough Superintendent.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 2, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday afternoon, December 2, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

82-56-SA

APPLICANT—The Heil Company, Division Heil-Quaker Corp., owner.

SUBJECT—Application January 30, 1956—Heil-Quaker Gas-fired Heating Equipment, also to be marketed as Sears-Roebuck Homart Gas-fired Heating Equipment, approval of.

83-56-SA

APPLICANT—The Heil Company, Division Heil-Quaker Corp., owner.

SUBJECT—Application January 31, 1956—Heil-Quaker Winter Air Conditioners (oil-fired) also to be marketed as Sears-Roebuck Winter Air Conditioners, approval of.

86-57-SM

APPLICANT—Sayre & Fisher Brick Company, owner.

SUBJECT—Application January 24, 1957—Aglite (light-weight aggregate), approval of.

109-57-SA

APPLICANT—The Coleman Company, Inc., owner.

SUBJECT—Application February 4, 1957—The Coleman Company, Inc., Coleman Gas-fired Space Heaters, approval of.

704-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.

SUBJECT—Application September 6, 1957—American-Standard Gas-fired Horizontal Winter Air Conditioner, Model GHA, approval of.

706-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.

SUBJECT—Application September 6, 1957—American-Standard Commercial Packaged Air Conditioning Units and Self-Contained Water Cooled Air Conditioning Units, Models CCA-2, 3, 5; HCA-2H, 3H; HCA-2F, 3F, 5F; and HCA-2, 3 and 5, approval of.

743-57-SA

APPLICANT—Chattanooga Royal Company, owner.

SUBJECT—Application September 25, 1957—Royal Vented Gas-fired Room Heaters, Models 2820-A, 2830, 4840-A, 4850-A, 4860-A, 4875-A, 4940-A, 4950-A, 4960-A, 4975-A, 4820 and 4830, approval of.

84-58-SM

APPLICANT—Frankel Associates Inc., owner.

SUBJECT—Application February 19, 1958—Glas-Kote, Flameproof Material for stage, auditorium, windows, etc.; approval of.

112-58-SM

APPLICANT—E. I. du Pont de Nemours & Company, Inc., owner.

SUBJECT—Application February 20, 1958—Du Pont "Tontine" Flame Resistant Vinyl Cyclorama Material, approval of.

161-58-SA

APPLICANT—Locke Stove Company, owner.

SUBJECT—Application February 28, 1958—Warm Morning Gas-fired Room Heater, Models V20, V30, V35, VR50, VR65, V50, V65 and VR385, approval of.

180-58-SM

APPLICANT—Seelye, Stevenson, Value & Knecht for Nelson Stud Welding Division of Gregory Industries, Inc., owner.

SUBJECT—Application March 31, 1958—Nelweld Shear Connector Studs for composite steel and concrete floor and roof construction, approval of.

252-58-SM

APPLICANT—Frankel Associates, Inc., owner.

SUBJECT—Application April 23, 1958—Lin-Seal, for curtains and drapes in places of public assembly, approval of.

404-58-SM

APPLICANT—Joanna Western Mills Company, owner.

SUBJECT—Application June 2, 1958—Joanna UVO235-10F and MRBC Vinyl Coated Fabric, approval of.

408-58-SM

APPLICANT—The Georgia Company Inc., owner. Mead and Montague Co., Inc., Agent.

SUBJECT—Application July 3, 1958—Saranspun Drapery Fabric, approval of.

565-58-SA

APPLICANT—Walter Kidde & Company, Inc., owner.

SUBJECT—Application September 29, 1958—Kidde Industrial Smoke Detector, Model L-4901, Type G, approval of.

567-58-SA

APPLICANT—Manes, Sturim, Donovan & Laufer for All-Boro Gas Co., Inc., owner.

SUBJECT—Application September 29, 1958—All-Boro Gas Co. Inc., Tar Kettle Torch, Model 1 A.R., approval of.

47-47-SA

APPLICANT—Holland Furnace Company, owner.

SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional model P-3 Oil Burner—re Holland Oil Burner, Model P-2; previously approved.

160-49-SM—Vol. II

APPLICANT—Flexible Connector Company of America, Inc., owner.

SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional gas range connectors—re Long-Flex Gas Stove Connector; previously approved.

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367-49-SA—Vol. II

APPLICANT—Armstrong Furnace Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional trade name Williams Oil-O-Matic—re Armstrong Oil Burner. Model D-1, D-2 and D1-2; previously approved.

148-50-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to include a new size Edge Strips and include Cant Strips—re Gold Bond Insulation Roof Boards; previously approved.

511-52-SA

APPLICANT—Norman Products Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional models of gas unit heaters—re Norman Three-Sixty Gas-fired Unit Heaters, Models RDG-100A, RDG-100C; previously approved.

788-53-SM

APPLICANT—Eagle Manufacturing Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional safety can—re Eagle Safety Cans, 1 gal., 2½ gal. and 5 gal. capacity equipped with flame arrestors or screen strainers; containers for temporary storage of flammable liquids; previously approved.

313-54-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional asbestos shingles—re Gold Bond Asbestos Sidings, Shingles and Accessories, Gold Bond Asbestos Cement Shingles for exterior finish on Class 4 Buildings, previously approved.

546-54-SM

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Application reopened October 29, 1958 for amendment U.S.G. Demountable office partition—re USE Demountable Partition for office; previously approved.

336-55-SA

APPLICANT—Metalmaster Corporation, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to marketing under additional trade names—re A-1 & B-1, A1-5 & B1-5, AS2 & BS2, A1-1 & B1-1, A-2 & B2, A1-6 & B1-6, A1-2 & B1-2, A2-1 & B2-1, A2-2 & B2-2, A1-3 & B1-3, & B1-3, & B3, AS2-1 & BS2-1 Oil Burners, Models B-15, BS2-1 and B2, marketed by Edwards Eng. Company under trade name of Spi-Rol-Fin, Models BS201 and BS, S-11, S-1, S-2, S-21 and S-3; Utica Oil Burner, Models A-11, A-1, A-2 and A-3; Percoflash Mfg. Corp. by trade name Percoflash and Delta Heating Corp. as Delta P-1, P-2 and P-3; and Metalmaster Oil Burner and Silent Heat Distributing Corp. Oil Burner Models AA-1, A-2, A-3 and A-11; previously approved.

334-56-SM

APPLICANT—Athol Manufacturing Company, owner.
SUBJECT—Application reopened September 17, 1958 for amendment of resolution as to include Terson 2315 FRS-MRS and Terson 2316 FRS-MRS (flameproof fabric for folding doors)—re Terson 4212 FRS-MRS, folding doors in places of public assembly; previously approved.

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.
SUBJECT—Application reopened October 7, 1958—As Vol. II—Appeal from a decision of the Borough Superinten-

dent, re use of frame building within fire limits for storage.

PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.
SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.
PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.
SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.
PREMISES AFFECTED—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.
SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.
PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.
SUBJECT—Application Aug. 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.

PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.
SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor

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auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.

SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.

PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

971-57-BZ

APPLICANT—Edward J. Croce, for McFadden Brothers Post Memorial Association, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) pleasure type motor vehicles.

PREMISES AFFECTED—518-524 Prospect Avenue, south side, 325 feet east of Prospect Park West, Block 871, Lots 22 and 24, Borough of Brooklyn.

482-57-BZ

APPLICANT—John Mashamesh, owner.

SUBJECT—Application June 28, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the extension of a one family dwelling that encroaches on the required rear yard.

PREMISES AFFECTED—46-14 216th Street, west side, 110 feet south of 46th Avenue, Block 7342, Lot 15, Bay-side, Borough of Queens.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, store and utility room, parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.

PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.

SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.

PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

446-58-BZ

APPLICANT—Nathan Lubroth, for Albert I. Cohan, owner. John Farmakides, Lessee, doing business as; J. and J. Co.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit the change in classification of a storage building to a garage and repairs of more than five (5) motor vehicles.

PREMISES AFFECTED—37-08 24th Street, west side, 52.12 feet, south of 37th Avenue, Block 366, Lot 32, Long Island City, Borough of Queens.

555-58-BZ

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a class 2 height district, the erection of a forty-one story building with the dormer structure greater than that permitted.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets, 101-129 West 51st Street and 100-126 West 52nd Street, Block 1004, Lot 29, Borough of Manhattan.

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280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

367-58-BZ

APPLICANT—Henry Nordheim, for Michal Paniewski, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the continuance of a recently erected one family dwelling without the required accessory parking space.

PREMISES AFFECTED—1548 Dwight Place, east side, 200 feet east of Ampere Avenue, Block 5411, Lot 279, Borough of The Bronx.

9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubricatorium, and to extend the uses to include auto body and fender repairs.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the zoning resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway and 201-207 Bennett Avenue, northwest corner, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubricatorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9 1/8 inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for continued hearing.

621-24-BZ—VOL. III

APPLICANT—Max Siegel Associates, for Terin Garage Corp., owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired May 22, 1957—decision of the Borough Superintendent, previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district an existing three story garage, the additional parking of motor vehicles on the roof.

PREMISES AFFECTED—234-240 East 54th Street, south side, 100 feet west of 2nd Avenue, Block 1327, Lot 29, Borough of Manhattan.

78-52-BZ

APPLICANT—Howard H. Snyder, for 768 Corporation, owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired October 25, 1956—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the extension of existing stores by converting living quarters in rear of stores to store use and permitting the alteration of one store front by the installation of new front door and show window.

PREMISES AFFECTED—66 East End Avenue, west side, 76 feet 8 1/2 inches north of East 82nd Street, Block 1579, Lot 26, Borough of Manhattan.

573-56-BZ

APPLICANT—Wechsler and Schimenti, for 335 West 49th Street Corp., owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired March 10, 1958—decision of the Borough Superintendent, previously granted on condition under section 7a of the Zoning Resolution, permitting in a retail use district, the change of use of the cellar, first floor and second floor in an existing building from garage to storage in the cellar and factory (iron works) on the first floor and the second floor from factory to storage.

PREMISES AFFECTED—335 West 49th Street, north side, 275 feet east of 9th Avenue, Block 1040, Lot 12, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced

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and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubricatorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

Laid over from November 5, 1958, to November 12, 1958, at the request of an objector; then to December 9, 1958, for inspection and decision; hearing closed.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Molodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

Laid over from November 12, 1958, to December 9, 1958 for inspection and decision; hearing closed.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubricatorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1

Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

Laid over from November 5, 1958, to November 12, 1958, for continued hearing after applicant has filed revised plans; then to December 9, 1958 for inspection and decision; hearing closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Avenue, northeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

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359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast

corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an

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existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage or more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed; then to December 9, 1958; for inspection and decision.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 9, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 9, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.
SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

556-58-A

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent re escalators.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, 1st and 2nd floors, Block 1004, Lot 29, Borough of Manhattan.

789-55-A—Vol. II

APPLICANT—Columbia Pictures Realty Corp., lessee; Prentice Development Corp. (formerly Frezard Corp.) owner.

SUBJECT—Application reopened November 5, 1958—Appeal from a decision of the Borough Superintendent, re editing and storage of films, removal of Sprinkler System.

PREMISES AFFECTED—711 5th Avenue, northeast corner of East 55th Street, Block 1291, Lot 1, Borough of Manhattan.

28-58-A

APPLICANT—Leonard F. Rothkrug, for Ginsberg Realty Corp., owner.

SUBJECT—Application January 28, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—1657-1663 Broadway, northwest corner of Scaffer Street, Block 3420, Lot 1, Borough of Brooklyn.

530-58-A

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Ohav Sholem Center of The Bronx, owner.

SUBJECT—Application September 9, 1958—Appeal from a decision of the Borough Superintendent—re Class Rooms and Rabbinical Office on the 2nd floor of a 3 story non-fireproof, Class 3 building.

PREMISES AFFECTED—838 Gerard Avenue, east side, 236 feet, 5 inches south of East 161st Street, 2nd floor, Block 2474, Lot 32, Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the follows matters:*

277-58-BZ

APPLICANT—Leonard F. Rothkrug, for Frank and Leana Mezzacappa, owners; Michael Battista, lessee.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the rebuilding of an accessory motor vehicle repair shop building to an existing gasoline service station and motor vehicle repair shop with parking of cars awaiting service.

PREMISES AFFECTED—175 Targee Street, southeast corner of Broad Street, Block 563, Lot 60, Stapleton, Borough of Richmond.

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522-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, F area district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, minor repairs with hand tools only solely within the accessory building with less than the required setback and parking of more than five (5) motor vehicles awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—166-15 Willets Point Boulevard, north side, entire triangular block bounded by 166th Street and Cross Island Parkway, 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens.

365-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.

SUBJECT—Application May 27, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one story building from a garage for more than five (5) motor vehicles to an auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental painting and spraying, storage of parts, parking and storage of motor vehicles waiting to be serviced, loading and unloading and welding.

PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet 4½ inches east of Rogers Avenue, Block 5066, Lot 23, Borough of Brooklyn.

273-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Tudor Art Galleries, Charles Albert, President, owner.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of an extension to an existing structure, formerly two four story buildings and now connected, the proposed extension to have the second, third and fourth floors occupy the same area as the first floor.

PREMISES AFFECTED—309-311 East 56th Street, north side, 130 feet east of 2nd Avenue, Block 1349, Lots 6 and 7, Borough of Manhattan.

927-57-BZ

APPLICANT—Melvin E. Kessler, for Brith Realty Co., owner; John Antolotti, lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7a of the Zoning Resolution, to permit in a residence use district, the extension of the existing restaurant to enlarge the kitchen area.

PREMISES AFFECTED—337-339 East 49th Street, north side, 225 feet west of First Avenue, Block 1342, Lot 16, Borough of Manhattan.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.

PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of The Bronx.

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusci-
ano, for Jerome Estates, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.

PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

489-58-BZ

APPLICANT—New York Telephone Company, owner.
Mr. Harold V. Dixon, General Solicitor.

SUBJECT—Application August 18th 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as a telephone exchange.

PREMISES AFFECTED—164 Schofield Street, south side, 190.8 feet, east of City Island Avenue, Block 5641, Lot 315, Borough of The Bronx.

485-58-BZ

APPLICANT—Paul Trapani for Abe and Elizabeth Sholachman, owner.

SUBJECT—Application August 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of an extension to the rear of an existing one family dwelling that will encroach on the required rear yard.

PREMISES AFFECTED—2835 Gunther Avenue, west side, 200.27 feet, south of Arnow Avenue, Block 4792, Lot 14, Borough of The Bronx.

257-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corporation, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for overflow parking of patrons cars attending the nightclub located across the street for a temporary term of ten (10) years.

PREMISES AFFECTED—4101-4123 Avenue V, 2236-2238 and 2246-2284 Hendrickson Street, northwest corner, 2231-2245 and 2251-2283 Coleman Street, Block 8558, Lots 1, 18, 22, 24 and 57, Borough of Brooklyn.

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.

SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.

PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.

SUBJECT—Application reopened June 3, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, and 21 of the Zoning Resolution, to permit in a retail use district, the reconstruction of an existing gasoline service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks, relocate and add pumps and curb cuts.

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PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.

SUBJECT—Application September 17, 1957—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.

PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.

PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 ft. south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

738-57-BZ

APPLICANT—Lama, Proskauer and Prober, for 644 Bushwick Avenue Corporation, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the erection and maintenance of a gasoline service station, lubricatorium, car wash, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, extending from the unrestricted to the business portion.

PREMISES AFFECTED—640-648 Bushwick Avenue and 14-20 Troutman Street, south side, 131 ft., 8¾ in. west of Myrtle Avenue, Block 3182, Lot 18, Borough of Brooklyn.

593-41-BZ—Vol. III

APPLICANT—William B. Lichtner for Farock Theater Corporation, owner, Lee Service Center, Lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7i of the Zoning Resolution to permit in a business use district at an existing gasoline service station, the erection of a one bay extension to the existing accessory building and to extend the uses to include minor auto repairs with hand tools only.

PREMISES AFFECTED—10-25 Beach 19th Street, west side, 97.1 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens.

714-56-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the enlargement in the open area of a proposed gasoline service station, previously granted by the Board, to provide safer facilities for cars entering and leaving by adding two new curb cuts.

PREMISES AFFECTED—1346 Edward L. Grant Highway, east side, 369 feet north of West 169th Street, Block 2871, Lots 81, 83 and part of Lot 77, Borough of The Bronx.

1002-57-BZ

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the extension of an existing two-story and cellar building to extend the manufacture of toys to the second floor, previously used for the manufacture of women's wear.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

1003-57-A

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction—increase in area—exits, etc.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

275-58-BZ

APPLICANT—J. M. Berlinger, for Martin Brown and William Turner, owners.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under sections 7e, 9A and 21 of the Zoning Resolution, to permit in a residence use, Class 1 height district, the erection of a six (6) story multiple dwelling with a 70 car garage that exceeds the allowable height, is located within two miles of a designated airport and provides for three (3) retail stores on the first floor.

PREMISES AFFECTED—1261 Far Rockaway Boulevard, southwest corner of Beach 12th Street, Block 35, Lots 17-27 and Lot 31, Far Rockaway, Borough of Queens.

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., owner.

SUBJECT—Application October 4, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubricatorium, non-automatic, auto laundry, sale of automobile accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

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JANUARY 13, 1959, 10 A.M.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

Laid over from November 12, 1958, to November 18, 1958, applicant failed to give full notice to property owners; then to December 16, 1958 for inspection and decision; hearing closed.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc. owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

Laid over from November 18, 1958 to December 16, 1958, for inspection and decision; applicant may file brief as to Section 21; hearing closed.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc. owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 13, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; then to January 13, 1959, at request of the applicant; no further notices to be sent out.

HARRIS H. MURDOCK, *Chairman*

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REGULAR MEETING

TUESDAY MORNING, NOVEMBER 18, 1958, 10 A.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Wednesday morning and afternoon, November 5, 1958, were approved as printed in the Bulletin of November 11, 1958, Vol. 43, No. 45.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9½ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Martin Morganroth.
For Opposition: John F. Brassil.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A.M., for continued hearing.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue displayed (2542-2544 Atlantic official), and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Taken off calendar, referred to Examiner for new hearing date; notices to be sent to affected owners.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and

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extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons and Joseph Torelli.

For Opposition: Jack Botivineck, Anthony R. Ferrigno, Frank Conti, William Fedak, Jr., Mrs. John Chromik, Stephen Filler and Harry V. Tedrow.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A.M., for inspection and decision; hearing closed.

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

APPEARANCES—

For Applicant: Rose S. Maute.

For Opposition: None.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A.M., for applicant to file new decision of the Borough Superintendent.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: Margaret Dunn.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A.M., at request of the applicant; no further notices to be sent out; hearing previously closed.

195-57-BZ

APPLICANT—Harry A. Yarish, for Ethel Weissman, owner.

SUBJECT—Application March 18, 1957—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use district, the change in occupancy of a two car garage to a one (1) family dwelling.

PREMISES AFFECTED—3844 Laurel Avenue, south side, 120 feet east of Highland Avenue, Block 6976, Lot 13, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish and Ethel Weissman.

For Opposition: Paul W. Hessel and Seimore B. Simon.

ACTION OF BOARD—Laid over for date to be set; referred back to examiner.

780-57-BZ

APPLICANT—Leonard F. Rothkrug, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Leonard A. Rothkrug and Rocco Di Sario.

For Opposition: Mathilda R. Boyle, Angela Giacobbe, Anna Caravella, Amelia Hughes, Christine Fetto, Catherine Gluszek, Charlotte Kromm, Natale Lapelosa, Emil J. Kochman, Jr., Andrew J. Reiff, Walter Szachacz, Tillie Bielen, Joseph C. Gainsburg, Frank J. Scorane and others.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

19-56-A

APPLICANT—Dominick Salvati and Son, for Carolina Di Sario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent—re extension of frame building—factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Leonard A. Rothkrug and Rocco Di Sario.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling encroaching on the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sally M. Piraino.

For Opposition: Rose Gallay and Kay Peshla.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing previously closed.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail, D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons, no fee. The proposed building will occupy more than the

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permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

APPEARANCES—

For Applicants: Victor G. Madonia, Dominick Iandoli, Fannie Burstein and Joseph Burstein.

For Opposition: Samuel Bodian, Park Department.

For Administration: J. Patten, for the Borough President Queens.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side, 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Rose Kaufman.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under Section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman and Michael A. Lifson.

For Opposition: Frances Cymberg.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Arthur Levine.

For Opposition: Louis Golfin, Alberta Azzone, Margaret Reilly, Robert J. Nannery, William A. Casey, Emily S. Dickhaut, Joseph P. Bergoa, Marion Triglio, Mary Borfiglio, Josephine Farinacce, Emily De Marco, Mar-

guerite Fiumara, Maude A. Barnard, Jean Michelini, Adele Berndard, Fannie Risone, M. P. Caילו, Angelo Piosillo, Michael Consentino, Eugene Parisi and Anthony De Angelis.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

APPEARANCES—

For Applicant: Gerald Levy.

For Opposition: Harry Sladon and Seymour Goldstein.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under Sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1, area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Avenue, southeast corner, Block 4743, Lot No. 1, Borough of the Bronx.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: None.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under Sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Olga Cuomo.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for inspection and decision; hearing closed.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street,

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west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Trapani and Louis Wallach.

For Opposition: Harry Berlin, Caroline Daly, Isabella Poissant, Alice Gibbons, Eulene McLarney, William Meserole, Otto F. Heckner, Frank J. Chandler, Albert E. Pardee and Edward Engel.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; applicant may file brief as to Section 21, hearing closed.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Trapani and Louis Wallach.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision in conjunction with Cal. No. 393-58-BZ; hearing closed.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph O'Mara.

For Opposition: Irving Laube, Vincenzo Gavians, Nathan Kanoph, Vincencenzo, Abbatiello, Mary Angeluccis, Sarah Roach, Clara Cox, Carmelina Caro, John C. Lyne and Henry Rennington.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A.M. for inspection and decision; hearing closed.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A.M. for inspection and decision; hearing closed.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as

Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Street, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

APPEARANCES—

For Applicant: John P. McGrath and Alfred A. Lama.

For Opposition: None.

THE VOTE—

Affirmative: Vice Chairman Keating 1

Negative: 0

ACTION OF BOARD—Laid over to November 25, 1958, at 10 A.M. for continuation of the roll call for the members of the Board; and for preparing record of prior applications and court review; hearing previously closed.

823-19-BZ—Vol. II

APPLICANT—Arnold H. Fassler, for William Scheinberg, owner; Hercules Dist. Corp., lessee.

SUBJECT—Application reopened January 17, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7a, 7c, and 21 of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from a public garage and parcel delivery station to a factory with vehicle entrances within 25 feet of an intersection and within 75 feet of a residence district.

PREMISES AFFECTED—1901 10th Avenue, southeast corner of 19th Street, Block 890, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold H. Fassler.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on January 17, 1956 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958, for inspection; hearing closed; then to October 7, 1958, for further consideration after the carbarn site in the area has been sold by the City, as proposed use of the subject site may interfere with the sale of such property; then to November 18, 1958, for further consideration as may be necessary pending sale or action by Bureau of Real Estate; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 19th Street and 20th Street are in business and residential use, C and D area, class 1 height districts; 10th Avenue is in a business use, C and D area, class 1 height district; Terrace Place is in a residence use, C and D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 9, 1955 acting on Alt. Applic. No. 2011-55, reads:

"1. In a building located partly in a business use district and partly in a residence use district the proposed change in occupancy from public garage to factory is contrary to Art. II Sec. 3 of the Zoning Resolution.

2. The motor vehicle entrance located within 25 feet of an intersecting street which may be used for loading and unloading is contrary to Art. IV Sec. 19A Subdiv. i of the Z.R.

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3. The motor vehicle entrance more than 3' 6" wide located within 75' of the transition from business to residence use is contrary to Art II Sec. 7A of the Z.R." and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet 1 inch frontage by 100 feet in depth, occupied by a one story structure presently used as a public garage and parcel delivery station; that the present Certificate of Occupancy permits its use as a public garage and parcel delivery station, which use was authorized by the Board under Cal. No. 823-19-BZ under date of October 17, 1933; that it is proposed to convert the present building for the use of light manufacturing; and

WHEREAS, the applicant states that the premises has been leased for a five year period to the Hercules Dist. Corp., for the business of packaging and distributing magazines; and

WHEREAS, the applicant further states that directly in back of his premises, along 19th Street, is a one story dwelling owned by him; that there is a two family house, and thereafter a garage type building operated by a contracting company which owns the vacant lot to the east of its building; and

WHEREAS, there will be no work done at night in the premises, eliminating the noise present in a public garage operated around the clock, and furthermore, it will present less of a traffic congestion problem than a garage where vehicles go for servicing and storage; that it is also felt that the operation itself will be safer to the community than the operation of a garage; that among changes contemplated are the following: a new sprinkler system more comprehensive than the modified one approved for the garage use previously by the Board, in accordance with the directions of the Board; a new fire resistant storage vault, if required, and a new loading berth on the 10th Avenue side; a new toilet and window on the 19th Street side, a new door on 19th Street and on 10th Avenue as additional exits, and new appurtenances in connection with the above; and

WHEREAS, the applicant further contends as to items 2 and 3 on objections issued by the Borough Superintendent, that the doors will be corrected in such manner as the Board deems advisable; that if the Board feels that they are not needed as additional exits and entrances, he is willing to board up the same, brick it up, or make other corrective measures; and

WHEREAS, the applicant states that the present owner has held title to the property since November 5, 1954; that the assessed valuation of land is \$17,500 and of the building \$43,500 making a total of \$61,000; that the building was erected in January, 1920; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the applicant reports that the owner has been informed by the Bureau of Real Estate that the car barn opposite has been removed from sale and probably will be used for some City purpose.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 17, 1933, under Vol. 1 by adding thereto:

"that in the event the owner desires to change the use of the building to factory, such change in use may be made provided the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto and shall be maintained in accordance with the requirements therefor; that a sprinkler system throughout, a fire resistant storage vault and loading berth shall be maintained as proposed; that any objections as to the use of the building under Section 7A may be permitted provided the requirements of this resolution are complied with; that under section 7e the use of the building shall be as proposed, for a term of five years for use by the Hercules Distributing Corp.; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a new certificate of occupancy obtained."

788-23-BZ—Vol. II

APPLICANT—James E. Vassalotti, for Gale Garage Corp., owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, office and sales in addition to the present two story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—653-661 St. Nicholas Avenue, west side, 372.5 feet north of West 141st Street, Block 2050, Lot 149, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper

Negative: 5
0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on May 27, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hamilton Terrace and West 141st Street are in a residence use, B area, class 1½ height district; St. Nicholas Avenue is in retail and residence use, B area, class 1½ height districts, West 145th Street is in a retail use B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 5, 1958 acting on Alt. Applic. No. 304-58, reads:

"1. Proposed addition of gasoline service station, lubritorium, car wash, office and sales, and minor auto repairs to an existing garage for more than five motor vehicles located in a residence use district is contrary to Sec. 3 of Z. R. and B.S.A. Cal. #788-23-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 189 feet 10½ inches frontage by 119 feet 6½ inches in depth, irregular, presently developed with a two story building of class 3 construction, covering the entire plot and now being used as a storage garage for more than five cars, and motor vehicle repair shop; that the motor vehicle repair shop is an illegal use covered by Violation No. 139-52; that it is proposed to demolish a portion of the front of the building and install a gasoline service station consisting of seven new 550 gallon buried gasoline tanks and six dispensing pumps; that the three present 550 gallon gasoline tanks will also be used, making a total of ten 550 gallon gasoline tanks; that it is also proposed to maintain the present legal use on the first and second floors of garage for more than five motor vehicles, and add the new uses on the first floor of lubritorium, car wash, office and sales, minor auto repairs and gasoline service station; and

WHEREAS, the applicant states that records indicate that the present building on the premises was erected under N.B. Applic. No. 325-23 and Cal. No. 788-23-BZ for use as a garage for more than five autos, for which use Certificate of Occupancy No. 8983 was issued on December 13, 1924; and

WHEREAS, the applicant contends that although the premises are located in a residence use district, the west side of St. Nicholas Avenue is fully developed with non-conforming uses of garages, gasoline station and store, except for the corner of West 141st Street and West 145th Street; that the non-conforming uses are as follows: block 2050, lot 136—gas station; lot 140—garage; lot 157—stores; lots 160 and 126—garages; that the property is high in assessed

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value and is located in a low rental area, which makes it difficult for the owner to meet his obligations and pay City taxes, and therefore it is mandatory for him to re-develop this site as proposed in order to receive additional income, which will give him an equitable return on his large investment; and

WHEREAS, the applicant states that the present owner has held title to the property since March 1, 1948; that the assessed valuation of land is \$83,000 and of the building \$57,000 making a total of \$140,000; that the building was erected in 1924; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted to permit the reduction in area of the existing garage building so as to provide a gasoline selling alcove.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 24, 1923, by adding thereto:

"that in the event the owner desires to alter the building by constructing a gasoline selling alcove, substantially as proposed and shown on plans filed with this application marked 'Received May 7, 1958', 8 sheets, such alteration may be permitted, provided the building shall be cut back on both first and second stories and roof, as shown; that the construction as proposed shall be in accordance with the requirements of the Building Code and all other laws, rules and regulations applicable thereto; that all existing tanks shall be sealed unless found to be in good structural condition by test made by the Fire Department; that there may be seven new 550 gallon approved gasoline tanks; that gasoline pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line; that existing curb cuts may be reconstructed so as to provide three, 30 feet in width each, located where shown, in addition to the present curb cut leading to the ramp to the second story; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to permanent signs attached to the facade of existing building as altered, were shown, and permitting one post standard or bracket sign for supporting a brand sign, which shall advertise only the brand of gasoline on sale, and may extend beyond the building line not more than 4 feet; that under Section 7e for a similar term there may be minor repairs with hand tools only, maintained solely within the garage portion of the building; and that in all other respects the requirements of the resolution adopted by the Board on July 24, 1923, under Vol. I shall be complied with where not inconsistent with the terms of this amended resolution; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

330-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober for George De Combo, owner.

SUBJECT—Application reopened February 25, 1958 as Vol. V—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection of a one story extension and extend the present use of auto showroom and store to include office, storage of auto parts, motor vehicle repairs, gasoline pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment, brake testing, welding, parking and storage of cars awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—227-17 Northern Boulevard, northwest corner of 228th Street, Block 6333, Lot 7, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Samuel Bodian, Park Dept.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. V on February 25, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 21, 1958, for inspection and decision; hearing closed; then to November 5, 1958, for statement from Park Department as to actual time of development of subject site for park purposes and for applicant to submit sworn to statement that owner will waive any claim for damages if and when property is so taken for the proposed extension to building; then to November 18, 1958, for definite statement from the Park Department as to when property is to be acquired; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 227th Street and 228th Street are in local retail and residence use, D and G area, class ½ height districts; Northern Boulevard is in a local retail use, D area, class ½ height district; 43rd Avenue is in a residence use, G area, class ½ height district; that part of the premises within 100 feet of Northern Boulevard is in a local retail use district and a class D area district and the balance of the premises is in a residence use district and a class G area district; that as of July 25, 1916 part of the premises within 100 feet of Northern Boulevard was in a business use district and the balance of the premises was in an unrestricted use district; that as of July 25, 1916 the entire plot was in a class D area district and a class 1 height district; that the present use, height and area designation for that part of the site within the residence use district became effective August 2, 1945; and

WHEREAS, the decision of the Borough Superintendent, dated January 9, 1958 acting on Alt. Applic. No. 2517-57, reads:

"1. Proposed extension of structure, and the extension of use of an existing "Showroom and Store", to "Auto Showroom, office, Storage of auto parts, motor vehicle repairs, gasoline pumps for owners use only, Body and Fender work, incidental painting and spraying, wheel alignment and brake testing, welding and parking and storage of cars awaiting service in the open area", in a lot located partly within a Local Retail use district and partly within a Residence Use District is contrary to Art. II Section 4c and Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 377.19 feet in depth, presently developed with a one story building of class 3 construction, having a frontage of 54 feet, a depth of 87 feet 6 inches, and now being used for auto showroom store, and illegally, for motor vehicle repairing; that it is proposed to obtain a variance for a temporary period of fifteen years in order to extend the present building by erecting a one story extension of class 3 construction, having a width of 54 feet and a depth of 52 feet 8 inches, making the total building 54 feet in width by 140 feet 2 inches in depth; that it is further proposed to use the entire building for auto showroom and store, storage of auto parts, motor vehicle repair shop, gas pump for owner's use only, body and fender work, incidental painting and spraying, wheel alignment and brake testing and welding; that the open area is proposed for parking and storage of cars awaiting service; and

WHEREAS, the applicant states that Department of Buildings records show that a part of the existing building, 20

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feet by 54 feet, was erected as a refreshment stand under N.B. Applic. No. 6759-49 and Certificate of Occupancy No. 76743 was issued for this use; that under Alt. Applic. No. 339-52, parking of patrons' cars was added; that Certificate of Occupancy No. 81200 was issued for refreshment stand and lot for parking of patrons cars on a plot 69 feet by 102 feet by 90 feet by 100 feet; that the building was further altered to its present size under Alt. Applic. No. 1713-55; that Certificate of Occupancy No. 107903 was issued for showroom and store; and

WHEREAS, the applicant contends that Northern Boulevard is a heavily trafficked auto lane and as such the proposal is entirely within keeping at this point; that the site is adjoined on the east by a gasoline station and an auto wrecking yard, which are both non-conforming uses and owned by that same owner; and

WHEREAS, the applicant states that the present owner has held title to the property since July 6, 1951; that the assessed valuation of land is \$11,000 and of the building \$14,000 making a total of \$25,000; that the building was erected in 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the Committee recommends that for a term of five years extension to the building and the use of the rear portion of the premises as proposed for parking shall be permitted.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 14, 1944, and as thereafter amended by resolutions adopted through July 23, 1957, by adding thereto:

"that in the event the owner desires to maintain the requirements of the resolution above cited and also to extend the building as heretofore permitted and to use the rear unbuilt upon portion of the plot for the parking and storage of motor vehicles, such use and extension of use may be permitted for a term of five years from the date of this resolution including the existing building as formerly permitted and as indicated on plans filed with this application marked "Received July 18, 1958," 7 sheets; that the requirements of the resolution above cited, where not inconsistent with this resolution, shall be complied with; that the building shall not be increased in height or area; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg for Clymer Realty Company, owner, F.K.S. Upholstery Manufacturing Company, Inc., lessee.

SUBJECT—Application reopened July 15, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan R. Ginsburg.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on July 15, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application

on October 28, 1958 after due notice by publication in the Bulletin; and laid over to November 18, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; Clymer Street and Bedford Avenue are in residence and business use, B area, class 1½ height districts; Taylor Street is in a business use, B area, class 1½ height district; Lee Avenue is in a business use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 24, 1958 as amended November 7, 1958, acting on Alt. Applic. No. 591-58, reads:

"1. The proposed change in occupancy from repairing and storage of vending machines to the light manufacturing of chair seats and backs, cutting, assembling, upholstering and storage, including the use of power tools on wood, in a residence use district, is contrary to Art. II Sec. 3 of the Zoning Resolution.

Note: The premises were the subject of a conditional variance by the Board of Standards & Appeals under Cal. 513-46-BZ which expired Oct. 22, 1956 and a conditional variance on exits and floor loads under Cal. 514-46-A."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100 feet in depth, on which is located a building 25 feet front by 82 feet in depth, 3 stories, 43 feet in height, of class one construction; that it is proposed to use the premises for the storage of lumber and upholstering materials and the manufacturing of upholstered chair seats and backs; that the building was constructed in 1888 by The City of New York and used as a City Fire House for many years prior to the sale of the property by the City in 1946; and

WHEREAS, the applicant states that the owner of the premises is engaged in the manufacture of upholstered chair seats and backs and in such manufacturing uses only light woodworking machinery to fabricate the chair seats and backs, and hand electric cutters to cut the upholstery materials; that such manufacturing would cause no obnoxious odors, noise, vibration, disturbance or dust; that as has been noted, the building, originally built for a fire house, is of heavy construction and is readily useable for such manufacturing purposes; that in fact, the only feasible and economic use to which the property can be put is manufacturing; and

WHEREAS, the applicant contends that although the site has been in a residence use district and the surrounding area in residence and business use since 1916, the development and uses of the area are not residential in character, and have not been for many years; that it is, and has for many years past, been primarily a factory, garage in a business area; that thus on the north side of Clymer Street there are a number of garages, a plumbing and heating shop, a loft building, a laundry and a woodworking factory; that on the south side of Clymer Street, where the subject premises are located, there are several garages and a police station; that the immediately adjacent premises, 164 Clymer Street, has been and continues to be used for commercial purposes; that a study of the area indicates that the only possible use of the premises and of the area is a factory use; that thus, along Bedford Avenue surrounding the block in which the premises are located, are a number of buildings used for non-conforming uses; and

WHEREAS, the applicant states that the present owner has held title to the property since September, 1953; that the assessed valuation of land is \$3,000 and of the building \$26,000 making a total of \$29,000; that the building was erected in 1888; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the applicant has filed an additional decision as to the use of the premises with woodworking machinery; and

WHEREAS, the Board found that this was an appropriate

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case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7e for a term of five years, to permit the occupancy of the building, substantially as proposed and indicated on plans filed with this application, marked "Received June 19, 1958", 5 sheets, and "November 10, 1958", 1 sheet, on condition that in all other respects the requirements of the Zoning Resolution as cited by the Borough Superintendent shall be complied with and that the woodworking machinery indicated on revised plan marked "Received November 10, 1958", 1 sheet, as passed on by the Borough Superintendent under Alt. Applic. 591/58, Objection 1, and additional objection as to woodworking machinery dated November 7, 1958 may be maintained for the use of the occupants of the building as proposed in connection with the work proposed; that such fire-fighting equipment shall be maintained as the Fire Commissioner shall direct; and that in all other respects where not inconsistent with this resolution, the requirements of the resolutions adopted by the Board under Cal. No. 513-46-BZ, Vol. I and Cal. No. 514-46-A on October 22, 1946, as amended by resolutions adopted through November 9, 1948, shall be complied with; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

182-52-BZ—Vol. III

APPLICANT—Earl J. Wofsey, for Samo Builders, Inc., owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sale, storage and parking and storage of motor vehicles.

PREMISES AFFECTED—18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Earl J. Wofsey.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: Vice Chairman Keating, and Commissioner Foley

Negative: Chairman Murdock, Commissioner Kleintert and Commissioner Sleeper

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on June 3, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; then on November 18 for possible sale of property for conforming use; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 18th Avenue, Utopia Parkway, 19th Avenue and 169th Street are in a local retail use, D area, class ½ height district; that as of July 25, 1916 the site was in a business use district, and on December 31, 1951 it was changed to its present use designation; and

WHEREAS, the decision of the Borough Superintendent, dated July 2, 1958 acting on N.B. Applic. No. 2068-58, reads:

"1. Proposed gasoline service station, lubritorium, minor auto repairs, car washing, office & sales and storage parking on a lot in a local retail use district is contrary to Art. 2 Sec. 4-c of the Z. R.

2. Proposed ground sign is contrary to Art. 2, Sec. 4-c of the Z. R."

and

WHEREAS, the applicant states that the premises consist of a plot, 201.41 feet frontage by 80.82 feet in depth, irregular, now vacant; that it is proposed to obtain a variance, for a temporary period of fifteen years, in order to erect a modern gasoline service station to consist of ten buried 550 gallon gasoline storage tanks and six dispensing pumps; that the contemplated accessory building will be of class 3 construction, contemporary design, having face brick on all four sides; that it will be of minimum size, presenting its side wall to Utopia Parkway; that it will thus occupy a width of 28 feet 8 inches on the Utopia Parkway side and 53 feet 4 inches on the 19th Avenue side; that it will have a flat roof and a height of 14 feet 6 inches; that the building will contain the conjunctive uses of office, sales of accessories, lubritorium, minor auto repairs and car washing; that the northerly part of the site will be reserved for parking and storage of motor vehicles; and

WHEREAS, the applicant states that the building will be set in the corner of the parcel, between 18th Avenue and 169th Street; that on the 169th Street side, its wall will be continued in a face brick wall 5 feet 6 inches high, running to the corner of 169th Street and 18th Avenue, and a similar wall will run from the building along the plot line on 19th Avenue to the corner of Utopia Parkway; that the entire 18th Avenue side will be walled off by large evergreen shrubs, and there will also be an evergreen planting inside the wall on the 19th Avenue side from Utopia Parkway to the service building; that by turning the building so that its side faces Utopia Parkway, the interior of the service area is made less visible from the street; that the building is more compact and therefore less conspicuous; that in addition, the high wall completely surrounding the area on all but the Utopia Parkway side, will completely eliminate access to the station from any point other than the front, and maximum safety is thus assured, since pedestrians cannot cross through the area; that the walls also shield the surrounding area from noise and fumes, thus giving maximum protection to public health; and

WHEREAS, the applicant contends that the area in which it is sought to place this gasoline station has grown rapidly in population within the last five years; that traffic in the area is much heavier than when previous applications were made for this variation, and many more automobile owners live in the area, requiring servicing and parking facilities; that Utopia Parkway, which is presently a major highway, will become very heavily travelled as soon as the contemplated Throggs Neck Bridge is constructed; that the entrance to that bridge will be only a few minutes ride from this parcel; that the parcel in question is land which cannot be used for any other purpose and has, in fact, remained vacant for many years despite the earnest efforts of a number of successive owners to find a conforming use; that if the present application is granted, this land, which is now being wasted, will be improved by an expenditure of at least \$15,000 and will be put to a productive use; that the proposed gas station will be integrated harmoniously with the affected area and will provide a service which the area urgently requires; and

WHEREAS, the applicant states that the present owner has held title to the property since December 13, 1957 and that the assessed valuation of land is \$5,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 2068/58, Objections No. 1 and 2, be and it hereby is affirmed and that the application be and it hereby is denied.

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623-55-BZ

APPLICANT—Benjamin Heffner, for Estate of Samuel T. Nierenberg, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of time to complete—expired October 16, 1957—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district for a term of years, the parking of cars for patrons and employees of adjoining stores.

PREMISES AFFECTED—35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: David M. Gerstein.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, on October 16, 1956, this application was granted by the Board on certain conditions under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking of patrons' cars for adjoining stores, affecting premises 35-16 to 35-20 Murray Street, west side, 121 feet north of Northern Boulevard, Block 5009, Lot 31, Flushing, Borough of Queens; and

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation October 16, 1957; and

WHEREAS, this application was reopened on October 28, 1958 and set for hearing on November 18, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated October 3, 1958 acting on amendment to Alt. Applic. No. 1367-55, reads:

"1. Refer back to Board of Appeals for further extension of time. (Cal. 623-55-BZ). Dated October 16, 1956."

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 16, 1956, only insofar as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits including a certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

691-55-BZ—Vol. II

APPLICANT—Charles A. Buckley, for A. Wolheim and Sons, Inc., owner.

SUBJECT—Application reopened April 22, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 7A of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of store, lubritory, car washing, minor auto repairs with hand tools only, utility room and parking and storage of more than five (5) motor vehicles, with show windows, business entrance and signs within 75 feet of a residence use district.

PREMISES AFFECTED—1774-1780 Nereid Avenue, 4400-4406 Barnes Avenue, southeast corner and 4386-4390 Gunther Avenue, Block 5051, Lots 44 and 45, Borough of The Bronx.

APPEARANCES—

For Applicant: Maurice J. Schulkind.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: Chairman Murdock 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 22, 1958 subject to regular procedure, to consider a new proposal consisting of reduced plottage and other changes; and

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; then laid over for further inspection and decision, date to be determined; now set for November 18, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Nereid Avenue are in a local retail use, C area, class 1 height district; Wicknam Avenue and Gunther Avenue are in local retail and residence use, C area, class 1 height districts; Pitman Avenue is in a residence use, C area, class 1 height district; that the plot was in the business zone district until July 25, 1957, when it was changed to local retail district; and

WHEREAS, the decision of the Borough Superintendent, dated February 26, 1958 acting on N.B. Applic. No. 60-58, reads:

"1. Proposed use of gasoline service station, store, lubritory, car washing, minor auto repairs with hand tools only, utility room, and parking and storage for more than five motor vehicles is contrary to Art. II, Sect. 4-c of the Z.R.

2. Entrance, show window or sign within 75 feet of a residence use district is contrary to Art. II, Sect. 7-A of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 91.4 feet by 41.54 feet frontage by 61.7 feet in depth; that the premises are presently, and have been since 1927, developed with twelve one-car garages, one story in height, of class 3 construction, having a frontage of 97 feet and a depth of 18.10 feet, which have not been used for a long time; that the rest of the plot is overgrown with weeds, and in general the appearance is detrimental to the neighborhood; that it is proposed to demolish the present structures and erect a modern brick gasoline service station consisting of twelve 550 gallon gasoline tanks and four dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, having a frontage of 44 feet and a depth of 27 feet 8 inches, and contain the conjunctive uses of lubritorium, non-automatic car wash, minor auto repairs, store and utility room, and parking and storing of more than five motor vehicles; and

WHEREAS, the applicant states that both Nereid and Barnes Avenues are heavily trafficked arteries in Bronx County; that there are no gas stations within the affected area and the large home development in this area creates a vital need for such a gas station, which will not only service the local needs but also the needs of the transient traffic trade without substantially injuring the primary residential section of the neighborhood; that it appears obvious from the nature and development of this area and its location on a trafficked artery, plus the retail vacancies in the neighborhood, in addition to the elevated subway being but three blocks distant, that this site would never be profitably developed for commercial purposes; that although the present corporate owner has had title since December, 1951 the property has been owned by the Wolheim family for over twenty years and they were unable to sell the property, build or erect anything within the conforming use for the development of the area; and

WHEREAS, the applicant states that the present owner has

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held title to the property since December 20, 1951; that the assessed valuation of land is \$17,500 and of the building \$3,000 making a total of \$20,500; and

WHEREAS, under Volume I a gasoline station on a larger plot was denied, and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years *on condition* that all buildings and uses on the premises shall be removed, including the existing garages on the plot, and the plot shall be leveled substantially to the grade of Nereid Avenue and the gasoline station shall be constructed and arranged as indicated on plans filed with application marked "Received March 25, 1958", 5 sheets, and "June 25, 1958", one sheet; that the accessory building shall be of the design and arrangement as shown and proposed and without cellar and shall comply in all respects with all requirements of the Building Code and shall be faced with face brick on all sides; that on the rear lot line to the south there shall be erected a woven wire fence of the chain link type not less than five feet six inches in height including the concrete base, except where walls of the accessory building occur, which shall be without rear windows; that a similar fence shall be erected along the lot line to the east carried to Nereid Avenue and with suitable terminating post; that curb cuts shall be restricted to two curb cuts to Nereid Avenue and one to Barnes Avenue and one to Gunther Avenue, where shown, each 30 feet in width except the one to Barnes Avenue which shall be 20 feet in width; that the sidewalk and curbing abutting the property shall be reconstructed or repaired to the satisfaction of the Borough President; that under Section 7h the parking of motor vehicles may be permitted for a similar term; that if any part of the construction is contrary to Section 7A such may be permitted provided the requirements of this resolution are complied with; that gasoline pumps shall be of an approved type and shall be erected not nearer than fifteen feet to a street line; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall require; that during the term of this variance the premises shall be occupied for no other use than as herein permitted; that tanks shall not exceed twelve approved 550 gallon gasoline storage tanks; that under section 7i for a similar term there may be minor repairing with hand tools only for adjustments maintained solely in the accessory building; that signs shall be restricted to permanent signs attached to the facade of the accessory building facing Nereid Avenue and to the illuminated globes of the pumps, excluding all roof signs and temporary signs and advertising devices but permitting the erection within the building line of one post standard at the intersection of Nereid Avenue and Barnes Avenue for supporting a sign which may be illuminated advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over four feet; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

272-56-BZ

APPLICANT—John Sellers Yates, for John Sellers and Marguerite T. Yates, owners.

SUBJECT—Application March 2, 1956—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the construction of an extension for an additional entrance to an existing one family dwelling with less than the required setback.

PREMISES AFFECTED—961 Todt Hill Road, east side, 15.05 feet south of Coventry Road, Block 896, Lot 45, Dongan Hills, Borough of Richmond.

APPEARANCES—

For Applicant: John S. Yates.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Todt Hill Road, Coventry Road, Copperleaf Terrace and Windy Hollow Way are in a residence use, G area, class 3/4 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 31, 1956 acting on Alt. Applic. No. 7-56, reads:

"1. The proposed alteration is contrary to Sec. 15 subd. f of the Zoning Resolution. (No portion of the building can be erected nearer than 15 feet from Coventry Rd.)."

and

WHEREAS, the applicant states that the premises consist of a plot, 236.96 feet frontage by 272 feet in depth, presently occupied by a one family dwelling; that it is proposed to build a new entrance on the Coventry Road side, altering the course of an existing stairway and to extend the structure by approximately 3 1/2 feet; and

WHEREAS, the applicant states that the house is situated on a plot which fronts on four streets and is more than one and one half acres in area; that from all but Coventry Road, the setbacks are greater than that required by the Zoning Resolution; that in the case of Coventry Road, the house was an existing structure; that when the street was laid out and adopted, the house was left with a small side yard; that although this street is now the closest street to the house, under existing conditions it must be entered by the furnace room or by walking around to the opposite side; and

WHEREAS, the applicant contends that the house now has a driveway which exactly parallels Coventry Road leading from Todt Hill Road to the garage; that if a variation is granted for an entrance on Coventry Road, this driveway will be replaced with lawn, and the garage as well as the house will be enterable from Coventry Road; that this will give the house an apparent setback greater than it now has; and

WHEREAS, the applicant states that the present owners have held title to the property since August 1953; that the assessed valuation of land is \$6,000 and of the building \$9,000 making a total of \$15,000; that there is no record available as to when the house was erected; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the proposed porch to encroach upon the required yard area as proposed and as indicated on plans filed with this application marked "Received April 21, 1958", 7 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

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703-56-BZ

APPLICANT—Gilbert Lazerus, for Barbara Ann Gropman and Norman Siegel, owners.

SUBJECT—Application reopened September 30, 1958 and restored to docket for rehearing as ordered by the Court—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non automatic, motor vehicle repairs, sale of accessories, office and parking of more than five (5) motor vehicles awaiting service; for a stated term of fifteen (15) years; previously denied.

PREMISES AFFECTED—144-27 to 144-35 Farmers Boulevard, east side, from 144th Road to North Conduit Avenue, 179-12 to 179-20 144th Road and 179-01 to 179-13 North Conduit Avenue, Block 13090, Lots 4 and 94, South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Gilbert Lazerus.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on April 2, 1957 after due notice by publication in the Bulletin; laid over to April 30, 1957 at 10 A.M. for inspection and decision; hearing closed; applicant to file a revised area plan, showing entrance to the park area at northeast corner of North Conduit Avenue and Farmers Boulevard, as thereafter laid over to May 14, 1957 at 10 A.M. for further consideration, after further letter is received from the Park Commissioner as to jurisdiction; and laid over to May 28, 1957 at 10 A.M. at the request of the applicant to furnish a report as to jurisdiction; and

WHEREAS, a public hearing was held on this application on May 28, 1957 at 10 A.M. after due notice by publication in the Bulletin; application denied; and

WHEREAS, the application was reopened and restored to the calendar for additional hearing as required in the resettled Order of the Court and set for hearing on October 28, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except notice of hearing to be sent out by regular mail, based on a list of owners corrected to date; and

WHEREAS, a public hearing was held on this application on October 28, 1958 at 10 A.M., after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, E-1 area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent dated September 18, 1956, acting on N.B. Applic. No. 2869-56, reads:

"1. Proposed use of premises located in a residence use district as a gasoline service station, lubritorium, car wash, motor vehicle repairs, storage and sale of accessories, office, toilets, heater room is contrary to Article II Section 3 of Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 102 feet ½ inches frontage by 141 feet 3½ inches and 121 feet, 4¾ inches in depth, irregular, partly occupied by a two story frame dwelling; that it is proposed to erect and maintain, for a term of fifteen years, a gasoline service station with incidental car washing—non-automatic—lubritorium, motor vehicle repair service with hand tools only, no welding or spraying; that it is also proposed to erect a one story office and sales building, and incidental parking of more than five motor vehicles awaiting service; and

WHEREAS, the applicant contends that existing conditions indicate that the granting of this application would

not adversely affect the area; that both North Conduit Avenue and Farmers Boulevard are principal traffic arteries, carrying a heavy volume of through traffic, which is constantly increasing; that the plot in question is ideally suited for a gas station, particularly since each of the other three corners of Conduit Avenue and Farmers Boulevard are now occupied, or may be used for gas stations; that the site would not be suitable for the development of one or two family houses or a multiple dwelling because of the heavy traffic along North Conduit Avenue and Farmers Boulevard, and because of the fact that the property across the street on the northwest corner is already devoted to a gas station, nor would the property be suitable for stores as there now are adequate shopping facilities in more appropriate locations in the neighborhood; that therefore the highest economic use of the proposed site is as a gas station; that since the proposed gas station faces on three streets, it will abut residential property on the east side only, and the owner of that property has consented to the proposed gas station; that the other three corners of Conduit Avenue and Farmers Boulevard already are or may be used for similar non-conforming purposes; and

WHEREAS, the applicant further contends that the proposed structure will be erected and maintained under such conditions as will safeguard the character of the residential area; that it is proposed to construct a modern gas station, similar in design to the parkway type now approved by the Park Department for Westchester and Long Island parkways; that the building will be of colonial design with a peaked roof and cupola and will be faced with fieldstone or face brick on all four sides; that the building will face only on Farmers Boulevard and will be set well back from all building lines; that three islands of parkway type pumps will be installed, one containing four pumps on Farmers Boulevard and two containing three pumps each on North Conduit Avenue, and all such islands will be set fifteen feet back from the respective building lines; that a six inch high face brick wall will be provided along the entire northerly and easterly sides of the plot; that this wall will be set back at least fifteen feet, and at some points as much as 44 feet from the building line along 144th Road, and at least fifteen feet and at some points as much as 44 feet from the easterly lot line; that the brick wall will have a cast stone coping at its top; that the substantial areas between the outside of the brick wall and the building line of 144th Road and between the outside of the brick wall and the easterly lot line, will be completely landscaped with trees and other shrubbery and lawn; that in addition, there will be erected along the entire building line of 144th Road and along the entire easterly lot of the plot, a chain link fence with an inner gate, thus enclosing the entire planting area so that it may not be destroyed; that in addition, shrubbery and planting will be provided for a depth of at least five feet along the entire interior of the brick wall; that the entire site, where not occupied by the building or devoted to shrubbery, will be paved with concrete or black top paving; that the entire structure will be erected in conformity with the highest standards of dignity; that the proposed brick wall and the landscaping on both sides of such wall will completely obscure the station from the residential areas to the north and east and will beautify the view of the station from the Southern State Parkway on the south and west, thus providing complete protection for both the surrounding residential area and the Southern State Parkway; that in addition, the proposed use will provide an open and attractive area and will insure to neighboring properties permanent light and air, which such structures might not derive from a large conforming structure; and

WHEREAS, the applicant states that the present owner has held title to the property since May 29, 1953; that the assessed valuation of land is \$5,100 and of the building \$3,400 making a total of \$8,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the matter was subject to court review only as to the jurisdiction of the Park Commissioner—Matter of Gropman vs. Murdock et al.: the court determined that the

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Park Department was without jurisdiction and remanded the matter to the Board for decision on the merits; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7e for a term of 15 years, to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto as indicated on plans filed with this application marked, "Received October 17, 1956," 5 sheets, *on condition* that the premises shall be leveled substantially to Farmers Boulevard and North Conduit Avenue, and shall be constructed and arranged as indicated on plans referred to; that the accessory building shall be located as shown and of the design as indicated on such plans; that such building shall be constructed on all sides with face brick; that pumps shall be of the low approved type and not nearer than 15 feet from the street building line of Farmers Boulevard and North Conduit Avenue; that there shall be two curb cuts, each 30 feet in width on North Conduit Avenue and two of similar width to Farmers Boulevard; that the planting and fences shall be constructed and maintained as indicated for the protection of 144th Road and the adjoining premises to the east; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs and the illuminated globes of the pumps excluding all roof and temporary signs and advertising devices but permitting the erection within the building line, toward the north of one post standard advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 feet; that a similar sign may be permitted toward the east where shown; that the sidewalks and curb cut abutting the premises on all three streets shall be reconstructed or repaired to the satisfaction of the Borough President; that under section 7h, for a similar term there may be parking of cars on such portions of the premises where such parking will not interfere with the servicing of the station; that the planting shall be of suitable material; that the chain link fence as proposed shall be of the woven wire chain link type on a masonry base; that the planting area shall be protected with concrete 6 inches in width and 8 inches in height; and that all permits shall be obtained and all work completed within the requirements of section 22A of the Zoning Resolution.

123-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Grenlac Holding Corp., owner.

SUBJECT—Application February 14, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, sales rooms, car wash, storage, minor auto repairs, parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—1101-1111 Grenada Place and 4126-4134 Laconia Avenue, northeast corner, Block 4927, Lot 2, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 3

Negative: Chairman Murdock and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 22, 1957 after due notice by publication in the Bulletin; laid over to November 19, 1957, for inspection and decision; hearing closed; then to December 3, 1957, for further inspection and decision; then to December 10, 1957,

for inspection and decision; applicant having been notified; then to December 17, 1957; then to January 7, 1958, for further inspection and decision; then laid over from January 7, 1958, for decision; date to be set; then set for March 11, 1958; then laid over from March 11, 1958, to March 18, 1958, for full vote of the Board; then laid over from March 18, 1958, for the members of the Board to view the stores now under construction across the street from this site, and laid over for a continuation of the vote until such time as the stores on 231st Street are constructed; date for decision to be determined; now set for hearing June 24, 1958; then laid over from June 24, 1958, date to be set; for further consideration and decision; now set for November 18, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Grenada Place, Laconia Avenue and East 231st Street are in a local retail use, D area, class 1 height district; that as of July 25, 1916 that part of the site within 100 feet of Laconia Avenue was in a business use district and the balance of the site was in a residence use district; that the present use designation became effective October 18, 1949; and

WHEREAS, the decision of the Borough Superintendent, dated January 21, 1957, acting on N.B. Applic. 1996-56, reads:

"1. In a local retail district the proposed gasoline service station, lubritorium, sales room, car washing, storage and minor automobile repairs is contrary to Sect. 4c, Art. II Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 138 feet irregular in depth, presently unimproved; that it is proposed to erect and maintain a modern gasoline service station consisting of twelve 550 gallon gasoline storage tanks and four dispensing pumps; that the proposed accessory building will be one story in height of class 3 construction, having a frontage of 55 feet, a depth of 29 feet and will contain the conjunctive uses of sales room, lubritorium, minor auto repairs and car washing; that part of the open portion of the site will be reserved for the parking and storage of motor vehicles; and

WHEREAS, the applicant contends that the site is irregular in shape and part of an isolated block which is not adaptable for shopping; that the rest of the block, consisting entirely of lot No. 6, is owned by the same owner and is the property most affected by the proposal; that Laconia Avenue is a main auto lane leading across the Bronx and in addition the large home and apartment house development in the area makes the proposed gas station in keeping and a required service at this point, as there are no other gas stations within the affected area; that the gas station building will be highly modern in design and entirely in accordance with the manner in which the area has developed; that the development of the site will remove a present unkempt lot and an eyesore to the community; and

WHEREAS, the applicant states that the present owner has held title to the property since March 21, 1953 and that the assessed valuation of land is \$6,400; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and uses legally accessory thereto, substantially as proposed and as indicated on plans filed with this application marked "Received February 14, 1957", 3 sheets, "June 10, 1958", one sheet, *on condition* that all uses now on the premises shall be removed and the premises shall be graded substantially to the grade of Gren-

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ada Place and shall be designed, arranged and constructed as indicated on such plans; that the accessory building shall be of the design, arrangement and location as shown and shall comply in all respects with the Building Code and shall be faced on all sides with face brick; that there shall be no cellar under the accessory building; that the doors to the toilet rooms shall be arranged so as not to be contiguous; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line of Laconia Avenue and Grenada Place, as shown, that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that along the lot line to the north there shall be erected a woven wire fence on a masonry base to a total height of five feet six inches; that such fence may be omitted where the rear wall of the accessory building occurs, and such wall shall have no windows; that a similar fence shall be erected along the easterly line from the rear line to the building line of Grenada Place with suitable terminating post; that curb cuts shall be restricted to two curb cuts each 30 feet in width to Laconia Avenue and two of similar width to Grenada Place; that no portion of any curb cut shall be nearer than five feet to a side lot line as prolonged; that at the intersection of Grenada Place and Laconia Avenue there shall be erected a block of concrete extending for a distance of five feet along either street from the intersection and not less than twelve inches in height; that signs shall be restricted to permanent signs attached to the front facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs, temporary signs and advertising devices but permitting the erection of one post standard within the building line at the intersection at right angles to Grenada Place for supporting a sign, which may be illuminated, advertising the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; that such portable fire-fighting appliances shall be maintained as the Fire Commisisoner shall direct; that under Section 7h, for a similar term, there may be parking and storage of motor vehicles provided such motor vehicles are so parked as not to interfere with the servicing of the station; that during the term of this variance the premises shall be occupied for no other use than as permitted herein; and that the plot therein built upon shall be asphalt paved; that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

566-57-BZ

APPLICANT—Charles L. Koester, for Annie Futernick, owner, Sutphin Lumber Co., lessee.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a business and residence use district, the erection of a new office and storage building to replace the one destroyed by fire and extend the lumber yard use into the residence portion of the plot.

PREMISES AFFECTED—109-20 Sutphin Boulevard, northwest corner Glassboro Avenue, Block 11949, Lot 324, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over, date to be set pending information from the applicant as to title to premises and lease to tenant; and for inspection and decision; hearing closed; now set for November 5, 1958; then to November 18, 1958, at request

of the Board, to inspect plans originally approved by the Department of Buildings; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Ferndale Avenue and Glassboro Avenue are in business and residence use, D and E area, class 1 and class ½ height districts; Sutphin Boulevard is in a business use, D area, class 1 height district; Liverpool Street is in a residence use, E area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 11, 1958 acting on N.B. Applic. No. 2428-57, reads:

"2. Proposed erection of a structure for a lumber yard, office, show room, store and storage for building materials in a business use district is contrary to Art. II, Sec. 4(a), item #31 of the Z.R.

3. Proposed lumber yard on a lot which is in a business use district and extending into a residence use district is contrary to Art. II, Sec. 4(a), item 31 and Art. II, Sec. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 208.90 feet frontage by 118.45 feet and 78.11 feet in depth, occupied as a lumber yard; that it is proposed to erect a building which will be used for an office, lumber yard, store for display and sale of cabinets, and storage of building materials; that the building will have a frontage of 85 feet on Sutphin Boulevard and will extend back 50 feet along Glassboro Avenue; that it is also proposed to improve the entire premises as shown on drawings filed with this application; and

WHEREAS, the applicant states that this property has been in the possession of the present owner since 1923, at which time her husband, who was president of the East New York Lumber Corp., established a lumber yard on this plot; that he made an application to erect an office building on this lot and obtained a permit for it under Misc. No. 17153-24 and also a fence permit to enclose this entire plot under Misc. No. 16609-24; that he operated it until 1929 when his two nephews took it over and it then became the Sutphin Lumber Company; that they have been operating this business since then; that last year there was a fire which demolished the rear end of the office; and

WHEREAS, the applicant states that the present owner has held title to the property since 1923 and that the assessed valuation of land is \$18,000; that the building was erected in March, 1923; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and applicant furnished the Board with information as to the correct title of the lessee of the property which is now stated to be Sutphin Builders Supply Corp.; and

WHEREAS, the Board found that the size of the plot is as established in 1924; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7c to permit the proposed construction of an office, showroom, store and storage building for finished material as proposed and as indicated on plans filed with this application marked, "Received July 26, 1957," 5 sheets, on condition that the balance of the premises shall be cleared of all buildings and shall be used only for the storage of lumber and shall have erected on all lot lines a woven wire or closed steel fence to a total height of 8 feet on a masonry base, continued on all building lines except where the proposed building and entrances to the lumber yard will occur; that fire-fighting appliances shall be maintained in the yard and building as the Fire Commissioner shall direct; that in all other respects the building and occupancy shall be complied with; and that all permits shall be obtained and work completed within the requirements of section 22A of the Zoning Resolution.

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143-58-BZ

APPLICANT—Leonard F. Rothkrug, for Oneibern Realty Corp., owner.

SUBJECT—Application March 19, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs, hand tools only, lubritorium, car washing, non-automatic, office and sales and a parking lot all for a term of fifteen (15) years.

PREMISES AFFECTED—1590 Hutchinson River Parkway, southeast corner of Middletown Road and Appleton Avenue, Block 5386, Lots 1, 2, 3, 5, 6, 7 and 8, Borough of the Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: James S. Tobin.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; applicant to file amended plans, showing pumps 15 feet from building line; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Appleton Avenue and Mayflower Avenue are in local retail and residence use, D and E area, class 1 height districts; Middletown Road is in a local retail use, D area, class 1 height district; Roebling Avenue is in a residence use, E area, class 1 height district; that on July 25, 1916 the entire premises was in a business use, C area, class 1½ height district; that the area and height district designations were changed on November 28, 1938 and the use district was changed on June 10, 1955; and

WHEREAS, the decision of the Borough Superintendent, dated March 13, 1958 acting on N.B. Applic. No. 79-58, reads:

"1. The premises located in a residence district and a local retail district to be used as a gasoline station, lubritorium, minor repairs, car washing, office, sales and parking of motor vehicles is contrary to Sect. 3 & Sect. 4-c of Art. II Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 201.55 feet frontage by 92.49 feet in depth, irregular, presently vacant; that it is proposed to erect and maintain a gasoline service station with accessory motor vehicle repairs, with hand tools only, non-automatic car wash, lubritorium, office and sales and parking lot; and

WHEREAS, the applicant states that the gas station is proposed to be located entirely within the retail use district portion of the premises, and the proposed parking lot is to be located in the residence portion; that the entire premises, and both Middletown Road and Appleton Avenue were in a business use district until June 10, 1955; that the proposed parking lot could have been established at any time until June 10, 1955 and it would have been a conforming use; that the proposed gas station could have been established at any time until June 12, 1925 and it would have been a conforming use; and

WHEREAS, the applicant contends that the premises cannot be economically developed with conforming uses, as the premises have been adversely affected by the Hutchinson River Parkway Extension; that the Parkway runs parallel to Ericson Place at a considerable depth below the grade of the premises, and although there is no entrance to or exit from the Parkway within 200 feet of the premises, the existence of the Parkway has created unique problems; that the Parkway separates the premises from any retail

exchange or beneficial influence from the entire area to the west; that considerable vehicular traffic passes the premises in view of the fact that traffic on Middletown Road, Westchester Avenue, Ericson Place and Appleton Avenue all converge at the premises; that there has been no increase in the nearby residential community to warrant any new retail stores; that although this area was developed many years ago there is considerable vacant property within the area and there is a very low density of population; that the existing retail stores barely survive and more than adequately accommodate the needs of the community; and

WHEREAS, the applicant further contends that there is a demand for development of the premises as proposed; that the Parkway and the many streets which converge at the premises draw heavy vehicular traffic and there are no gas stations on Middletown Road to provide the necessary service; that the Board granted a gas station variance under Cal. No. 608-56-BZ affecting block 4152, lots 1, 2, 9, 10 and 11, opposite the premises; that the proposed station will service only northeast bound Westchester Avenue traffic and no curb cut is proposed on to Middletown Road frontage; that no similar service will be available for eastbound Westchester Avenue traffic into Middletown Road, or for Ericson Place and Appleton Avenue traffic; that there is no zoning within the entire neighborhood which will permit these vitally required services, which is in the nature of a conforming use in that necessary retail services are provided; that the only means of providing this service is by a grant of a variance under terms and conditions as to its erection and maintenance; that a grant of the variance will not adversely affect any surrounding property owners; that there are no curb cuts to the gas station proposed on Roebling Avenue and only one curb cut proposed on to Middletown Road; that opposite the premises on Ericson Place—Appleton Avenue is the Parkway underpass; and

WHEREAS, the applicant states that the present owner has held title to the property since December 10, 1957 and that the assessed valuation of land is \$35,200; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e and f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7e and 7f for a term of fifteen years, to permit the premises to be occupied as a gasoline station and uses legally accessory thereto, substantially as proposed and indicated on plans filed with this application, marked "Received March 19, 1958", 4 sheets, and "June 12, 1958", 1 sheet and corrected plan marked "November 7, 1958", 1 sheet, *on condition* that the premises shall be leveled substantially to the grade of Appleton Avenue, and shall be constructed and arranged as indicated on such plans, including corrected plan of November 7, 1958; that the accessory building shall be of the design and arrangement indicated, faced with face brick on all sides and shall have no cellar and in all other respects shall comply with the requirements of the Building Code; that gasoline pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line of Appleton Avenue, as shown on such corrected plan marked "Received November 7, 1958"; that sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that curb cuts may be as shown, consisting of two, each 30 feet in width and one 20 feet in width to Appleton Avenue and two curb cuts to Roebling Avenue, each 30 feet in width; that there shall be erected on the rear lot line to the east where masonry wall of adjoining buildings do not occur, a woven wire fence of the chain link type, not less than 5 feet 6 inches in height including a masonry base; that such retaining walls shall be constructed where necessary at the cost of this owner; that

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there shall be erected at the intersections a block of concrete not less than 12 inches in height, running for five feet in each direction from the intersection; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that under Section 7h for a similar term there may be parking and storage of motor vehicles in such locations as will not interfere with the servicing of the station; that under Section 7i for a similar term there may be minor repairs with hand tools only, maintained only within the accessory building; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that any lighting on standards shall be equipped with metallic reflectors so arranged as to reflect away from adjoining occupancies; that during the term of this variance the premises shall be used for no other uses than as herein permitted; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

171-58-BZ

APPLICANT—A. H. Salkowitz, for Joseph Klar, owner.
SUBJECT—Application March 28, 1958—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with the accessory uses of lubritorium, car wash, office and store room for sale and storage of auto accessories, minor motor vehicle repairs and the parking of motor vehicles.

PREMISES AFFECTED—2774-2796 Linden Boulevard, southeast corner of Forbell Avenue, Block 4493, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: A. H. Salkowitz and Joseph Klar.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: Chairman Murdock 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; then laid over for further inspection and decision; date to be determined; now set for November 18, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Linden Boulevard, Forbell Avenue, Drew Street and Loring Avenue are in a residence use, FF area, class $\frac{3}{4}$ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 7, 1958 acting on N.B. Applic. No. 192-58, reads:

"1. Proposed building and premises, on a lot located in a Residence, to be used for gasoline service station, lubritorium, car wash, office and store room, for sales and storage of auto accessories, minor motor vehicle repairs, and parking for motor vehicles is contrary to Article II, PP. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 100 feet in depth, presently vacant; that it is proposed to erect a gasoline service station on a corner plot facing Linden Boulevard; that the building proper is to be constructed of poured concrete foundations, solid masonry walls, roof steel girders and wood beams, and ornamental wood railings and tower; that it is also proposed to install light poles and signs, three pump islands and twelve 550 gallon gas tanks; and

WHEREAS, the applicant contends that the property is located along the service road of heavily travelled upon Linden Boulevard, which is a main artery leading from Brooklyn to the Parkways; that it is in the vicinity of a large city-owned garbage disposal plant, that the location

is undesirable for such use as would be permitted in a residence zone; and

WHEREAS, the applicant states that the present owner has held title to the property since March 8, 1958 and that the assessed valuation of land is \$16,300; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied for gasoline service station and uses legally accessory thereto *on condition* that the premises shall be levelled substantially to the grade of Linden Boulevard; that all existing buildings, structures and uses on the premises shall be removed and the plot shall be constructed and arranged as indicated on plans filed with this application marked "Received March 28, 1958", one sheet, "July 30, 1958", 2 sheets, and "October 3, 1958", one sheet; that there shall be no cellar under the accessory building; that the accessory building shall be located where proposed and in all other respects shall comply with all laws, rules and regulations applicable thereto; that the accessory building shall be faced with face brick on all sides, as shown, that pumps shall be erected not nearer than 15 feet to the street building line of Linden Boulevard, and shall be of a low approved type; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that along the rear lot line there shall be constructed a woven wire fence of the chain link type not less than five feet six inches in height including a masonry base; that such shall extend along Drew Street and Forbell Avenue for a distance of approximately 50 feet along each and terminating with suitable terminating posts; that curb cuts shall be restricted to four curb cuts to Linden Boulevard each 30 feet in width, as shown; that no portion of any curb cut shall be nearer than five feet to a side lot line as prolonged; that there shall also be to Forbell Avenue one curb cut within the first 25 feet from the intersection and similarly to Drew Street; that at the intersections of Linden Boulevard, Drew Street and Forbell Avenue there shall be erected and maintained blocks of concrete extending for a distance of five feet along each street and not less than twelve inches in height; that under Section 7h there may be parking and storage of motor vehicles for a similar term; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the premises, where not occupied by the accessory building and pumps, shall be paved with concrete or asphaltic pavement; that sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to permanent signs attached to the front facade of the accessory building facing Linden Boulevard and to the illuminated globes of the pumps, precluding all roof signs and temporary signs but permitting the erection of two post standards, one at either intersection, each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such signs to extend beyond the building line, at right angles to Linden Boulevard, for a distance of not more than four feet; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

186-58-BZ

APPLICANT—Burke, Green and Groh, for Thomas M. Quinn and Sons, Inc., and Albertine Knodel, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, after demolition of the existing structure, the use of the vacant

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land for the parking and storage of more than five (5) motor vehicles for use in conjunction with the funeral home located on the opposite side of the street.

PREMISES AFFECTED—31-77 37th Street, east side, 125 feet north of Broadway, Block 657, Lots 10 and 11, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper: 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1¼ height district; 37th Street is in residence and retail use, B area, class 1¼ height districts; Broadway, 38th Street and 31st Avenue are in a retail use, B area, class 1¼ height district; that there have been no changes in zoning since July 25, 1916; and

WHEREAS, the decision of the Borough Superintendent, dated March 11, 1958 acting on Alt. Applic. No. 283-58, reads:

"1. The proposed accessory parking to a business use, not on the same plot with business use, in a residence use district is contrary to the Zoning Resolution, Article II Section 3."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, presently occupied by a two story frame dwelling, which is located along the southerly half of the plot; that this building will be removed; that except where building walls occur on lot lines, there are wood fences; that it is proposed to enclose the plot with a 5 foot 6 inch high woven wire fence; that the entire site will be surfaced with clean steam cinders treated with a binder; that a 12 foot wide curb cut will be installed opposite the front of the site; that the parking proposed will be for cars attending the funeral parlor; and

WHEREAS, the applicant states that the owners have long been established at Broadway and 37th Street in Astoria; that due to the increasing number of motor vehicles in this section and the parking along the side streets, it has become imperative that they obtain additional parking space to accommodate the number of people attending the funeral parlor and thus alleviate the traffic condition on the adjoining streets; and

WHEREAS, the applicant contends that on the corner of 37th Street and Broadway are located stores; that in Block 657, Lot No. 9, which adjoins the site, is located a garage and in Block 657, Lot No. 12, adjoining the premises on the south, is another brick garage set up on a 50 by 100 parcel; that the premises at the present time are unsightly, with an old wooden plank fence shielding the property; that the parking lot will have gates located on the same, which will be kept locked when the funeral parlor is closed; and

WHEREAS, the applicant states that the present owners have held title to the property since April 10, 1929 and October 8, 1956; that the assessed valuation of land is \$7,200 and of the building \$6,400 making a total of \$13,600; that the building was erected in 1912; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which noted that the garage on Lot 12 is already owned and operated by this owner for his undertakers' cars and recommended that the application for similar parking on the adjoining Lots 10 and 11, as proposed be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate

case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the occupancy of the premises for parking and storage of motor vehicles belonging to the owner and patrons of the undertaker at 36-10 Broadway, substantially as proposed and indicated on plans filed with this application, marked "Received April 1, 1958", 3 sheets, *on condition* that the existing frame building now on the site shall be removed and the plot leveled substantially to the grade of 37th street, surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that on all lot lines there shall be erected a woven wire fence of the chain link type erected on a masonry base to a total height of 5 feet, 6 inches with one entrance thereto on 37th Street not over 10 feet in width, where shown, which shall be fitted with gates which shall normally be kept closed, and with curb cut opposite not over 12 feet in width; that sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that suitable bumpers shall be maintained at all points to protect fences; that such fences may be omitted where masonry walls of adjoining buildings occur on the lot lines; that during the term of this variance the premises shall be occupied for no other use than as herein permitted; that signs shall be restricted to one sign attached to the fence at the entrance, advertising the private use of the premises, such sign not to exceed five square feet in area, not illuminated and not extending beyond the building line; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

199-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Rose Orzo, owner.

SUBJECT—Application April 7, 1958—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with a two-story accessory building, the first floor will contain the conjunctive uses of lubritorium, car washing, minor repairs, office, salesroom and the use of the unbuilt upon portion for the parking of more than five (5) motor vehicles with business entrance and show windows within 75 feet of a residence use district and to use the second floor for offices, all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE of November 12, 1958—

Affirmative: Vice Chairman Keating and Commissioner Kleinert 2

Negative: Chairman Murdock and Commissioner Sleeper 2

Absent: Commissioner Foley 1

THE VOTE of November 18, 1958—

Affirmative: Commissioner Foley 1

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on July 22, 1958 after due notice by publication in the Bulletin; laid over to July 29, 1958 for inspection and decision; hearing closed, then to September 30, 1958 at the request of applicant to submit revised plans to the Board and notices to be sent to all the owners in the area, then to October 21, 1958 for applicant to send out notices by regular mail for

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further hearing and for inspection, then to November 12, 1958 at 10 A.M. for further inspection and decision; hearing closed; then laid over, date to be determined, for full vote of the board; hearing previously closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Morris Park Avenue are in a retail use, C area, class 1¼ height district; Bogart Avenue and Radcliff Avenue are in retail and residence use, C area, class 1¼ height districts; Van Nest Avenue is in a residence use, C area, class 1¼ height district; that as of July 25, 1916 the premises were in a business use district and received the present use designation on December 14, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated March 14, 1958 acting on N.B. Applic. No. 107-58, reads:

"1. Proposed gasoline & oil selling station, lubritorium, car washing, minor repairs, offices, salesroom, and parking of more than five cars on the first floor and offices on the second floor in a retail use district is contrary to Art. II Sect. 4-A of the Z.R.

2. Entrances and show windows within 75 feet of an abutting residence use district is contrary to Art. II Sect. 7-A of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth, presently vacant; that it is proposed to erect a modern gasoline service station consisting of twelve 550 gallon buried gasoline tanks and six dispensing pumps; that the contemplated accessory building will be two stories in height, of class one construction, with a frontage of 65 feet, a depth of 28 feet and will contain, on the first floor, the conjunctive uses of lubritorium, minor auto repairs, car washing, office and salesroom; that the second floor is contemplated for office use; that a part of the site, not required for the gas station, will be reserved for the parking and storage of motor vehicles; and

WHEREAS, the applicant states that the site in question was acquired by the City of New York July 20, 1954 after an In Rem procedure, and was purchased by the present owner at a tax sale on June 25, 1957; that this proves conclusively that if the site could have been used for a conforming use, he would not now be before the Board seeking relief in order to erect this gas station as the only use that would give him an equitable return on his investment; that the area has sufficient stores for the presently developed residential area; that the factory in block 4126, lot 10 and the lumber yard in block 4101, lot 1, tend to make this area unrestricted in character; that the two story modern gas station and office building, as proposed for this site, will be in keeping with the present retail and business use development of this area and will lead the way to any future development; that the pump islands as proposed, 15 feet and 39 feet in back of the Morris Park Avenue building line, will give free access and promote an orderly flow of traffic in and out of the gas station; and

WHEREAS, the applicant contends that Morris Park Avenue is a heavily trafficked auto lane and as such the proposal is entirely within keeping at this point; that there are no other gas stations within the affected area, so that the erection of the proposed station would provide a necessary facility to the motoring public and the community itself; and

WHEREAS, the applicant further contends that the small show window and signs within 75 feet of the residence zone cannot possibly affect the residential aspect of Bogart Avenue, as the building is set 35 feet in back of the Bogart Avenue building line; that the 30 foot wide curb cut on Bogart Avenue is required for better operation of the gas station; and

WHEREAS, the applicant states that the present owner has held title to the property since June 25, 1957 and that the assessed valuation of land is \$13,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f, i and A of the Zoning Resolution.

Resolved, that the Board of Standard and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be constructed and arranged as indicated on plans filed with this application marked, "Received April 7, 1958," 4 sheets, and revised plans marked, "Received September 24, 1958," 2 sheets, *on condition* that the accessory building may be two stories in height, used as proposed and as indicated on revised plans; that there shall be no windows in the accessory building opening upon adjoining premises; that there shall be no cellar under such building and the building in all other respects shall comply with the requirements of the Building Code; that the building shall be faced on all sides with faced brick; that pumps shall be of the low approved type erected not nearer than 15 feet to the street building line of Morris Park Avenue; that gasoline storage tanks shall not exceed twelve 550 gallon tanks; that on the easterly lot line from the accessory building to Morris Park Avenue, except where masonry walls of adjoining buildings occur on the lot line, there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches; that similar fence shall be maintained on the side lot line to the rear of the accessory building and along the rear line of the adjoining premises where masonry walls of adjoining building do not occur, to the street line of Bogart Avenue and along Bogart Avenue to the proposed walk and from the walk for a distance of approximately 50 feet to a suitable terminating post; that the walk for access to the second story shall be constructed and maintained with a gate at the building line; that the premises at the rear of the accessory building for a distance of 10 feet shall be planted with suitable planting material and maintained in good condition at all times; that where not occupied by planting, accessory building and pumps, the premises shall be paved with concrete or asphaltic pavement; that curb cuts shall be restricted to two curb cuts, each 30 feet in width to Morris Park Avenue and one curb cut of similar width to Bogart Avenue where shown; that the sidewalk and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that if as to sidewalks it is desired to have cement walks and sodded area, such conditions may be maintained; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the facade of the building, excluding all roof signs and advertising devices, and permitting the erection within the intersection of one post standard for supporting a sign which may be illuminated advertising only the brand of gasoline on sale, and permitting such sign to extend not more than 4 feet over the Morris Park Avenue building line and at right angles thereto; that under Section 7i there may be for a similar term, minor repairing with hand tools only for adjustments maintained solely within the accessory building; that under Section 7A, any curb cut or show windows deemed not in accordance with the requirements of such, may be constructed, provided the requirements of this resolution are complied with; that during the term of this variance the premises shall be occupied for no other use than as herein permitted; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

234-58-BZ

APPLICANT—Charles L. Koester, for William Jesberger, owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of

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a one family home with attached garage that encroaches on the required setback from the City mapped street.

PREMISES AFFECTED—222-04 101st Avenue, southeast corner of 222nd Street, Block 10795, Lot 28, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Charles L. Koester.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; applicant to file revised plans showing houses on either side of 101st Avenue; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 101st Avenue are in a residence use, G-1 area, class ½ height district; 222nd Street and 223rd Street are in local retail and residence use, G-1 and D area, class ½ height districts; Hempstead Avenue is in a local retail use, D area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 18, 1958 acting on N.B. Applic. No. 581-58, reads:

"1. Front setback as shown on plan is not in accordance with Article IV Section 16-C(b) of Zoning Resolution. Setback from City mapped line should be 15 feet."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 40 feet in depth; that it is proposed to construct a one family dwelling, 20 feet deep and 46 feet 2 inches long; and

WHEREAS, the applicant contends that it is not practical or sensible to build a 15 foot deep house, as it would be impossible to obtain a mortgage on such a dwelling; that Sheet No. 5 of five of the drawings submitted, shows that the other three corner houses have the same setback on 101st Avenue as this proposed house, and as he can hold the legal setback on 222nd Street, he is doing so, that in consideration of the adjoining houses and the other three corner houses, it would be a mistake to build anything less than 20 feet in depth; and

WHEREAS, the applicant states that the present owner has held title to the property since January, 1958 and that the assessed valuation of land is \$1,200; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 as to practical difficulties, to permit the set backs to be as proposed and indicated on plans filed with this application, marked "Received April 16, 1958", 6 sheets, and "November 10, 1958", 1 sheet, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that in the event the City acquires land for street widening, payment to this owner for such portion as may be taken shall be as determined by the Court; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

282-58-BZ

APPLICANT—Mario A. Tucciarone, for Charles Chiofalo and James Viscardi, owners.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the present building to be used for manufacturing as permitted in a business use district.

PREMISES AFFECTED—93-08 95th Avenue, south side, 50 feet east of 93rd Street, Block 9036, Lot 3, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Mario A. Tucciarone.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 95th Avenue, 93rd Street, 94th Street and 97th Avenue are in a residence use, D area, class 1 height district; that the premises were zoned for business until April 13, 1925 at which time it was changed to its present use for residence; and

WHEREAS, the decision of the Borough Superintendent, dated September 25, 1958 acting on Alt. Applic. No. 1586-57, reads:

"1. Use of premises for manufacturing in a Residence Use District is contrary to Art. II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 27.04 feet frontage by 100.10 feet in depth, occupied by a one story building of class 3 construction, having a frontage of 20 feet by 90 feet in depth; that it is proposed to use the present building for manufacturing of a nature permitted in a business use district; and

WHEREAS, the applicant states that N.B. Applic. No. 16170-1922 shows a two story building to be used as a store on the first floor and dwelling on the second floor; that said plans were approved on December 13, 1922 at a time when the zoning was for business use; that construction under this application commenced on November 24, 1922 and was completed on October 16, 1923; that the building which was actually erected is a one story factory type building of class 3 or masonry construction, and does not conform to the plans filed; that a second new application was filed under plan No. 7549 of 1925 showing a one story factory type building as constructed to be used for dressmaking; that this second new building application was disapproved, since the use of the said premises for dressmaking was contrary to the newly established residence zoning; that the said building has been used for factory purposes since its erection, and said use has been undisturbed; that the original owner failed to make an application for a Certificate of Occupancy and none was ever issued; that no violations have been issued with respect to the use of said premises for factory purposes since its erection, although the building has been continuously used for factory purposes; that the present owner purchased the building on March 25, 1957 with the understanding that this was a factory building and occupied same for the manufacturing of cement lamp bases and weights; and

WHEREAS, the applicant further states that the residence use area surrounding the site contains many other buildings with uses not conforming to the residence use zone, as hereinafter specified; that lots 7 and 8 in block 9031 are used as a labor union hall and social club; block 9032, lot

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1—store and dwelling; lot 2—barber shop and dwelling; lot 3—store used for manufacturing dancing costumes and dwelling; lot 4—store used as delicatessen and dwelling; lot 5—store used for warehouse of package goods and auto repair shop; lots 7 and 8—store and dwelling; block 9036—lot—building used as warehouse and dwelling, adjoining subject site; lot 4—building used for womens dress manufacturing, adjoining subject site; that lot 27 in block 9027 contains a one story building used as store; and

WHEREAS, the applicant contends that in addition thereto, the area northwest of the site including block 9028, diagonally across the street from the site, is zoned for unrestricted use and developed with a large factory building; that this unrestricted use immediately adjoins a residence zone use, establishes an extreme change of use between adjoining land and is contrary to the general plan of zoning which normally establishes gradual change of zone from one to the next; that this fact greatly affects the beneficial use of the subject site; is used in accord with the prescribed zone and greatly diminishes its value for residential purposes; that furthermore, the present building in its present condition is not suitable for use as a residence without extensive alterations, thereby imposing an additional burden, for which the owner could not possibly obtain a fair return on a residential rental; and

WHEREAS, the applicant states that the present owners have held title to the property since March 25, 1957; that the assessed valuation of land is \$2,500 and of the building \$6,500 making a total of \$9,000; that the building was erected November 24, 1922; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit the occupancy of the building for business purposes, *on condition* that before any such occupancy is permitted same shall be submitted to this Board for further consideration; and that the building shall not be increased in height or area; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

417-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 9, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) cars. PREMISES AFFECTED—2333-2339 Cambreleng Avenue, west side, 109.14 feet south of Crescent Avenue, Block 3088, Lot 27, Borough of the Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem, Harry Kobrin and Harry Appleman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Belmont Avenue and Cambreleng Avenue are in business and residence use, B area, class 1½ height districts; Crescent Avenue is in a business use, B area, class 1½ height district; East 183rd Street is in a business use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 17, 1958 acting on Alt. Applic. No. 486-58, reads:

“1. Proposed use of parking & storage of more than five motor vehicles partly in a residence use district is contrary to Art. II Sect. 3 of the Z. R.”

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth; that it is proposed to create a fenced in parking lot with each tenant having his own car space and a key to the gate, which will be opened only to exit or entrance when using the lot; and

WHEREAS, the applicant states that this lot will relieve street parking to the extent of approximately 35 cars; that to build a new apartment house in this low rent area is financially impossible; that however, a parking lot for car owners will be a benefit for them as well as getting cars off the street; and

WHEREAS, the applicant contends that the area is congested and faces on a 50 foot street; that this avenue is a one way north bound street, and with cars parked on both sides of the street the roadway is inadequate; that there is alternate parking at present; that the lot, as photographs reveal, show the property level at grade; that at present, persons throw their rubbish in this lot; that the section is mixed with five and six story apartment houses, plus a large number of two family houses with no garage for tenants; that access to car space is impossible due to lack of driveways; and

WHEREAS, the applicant states that the present owner has held title to the property since April 16, 1958 and that the assessed valuation of land is \$12,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the premises to be occupied for the parking and storage of motor vehicles limited to passenger car type only, substantially as proposed and indicated on plans filed with this application, marked “Received July 9, 1958”, 2 sheets, and “October 1, 1958”, 1 sheet, *on condition* that all uses on the premises shall be removed and the site leveled substantially to the grade of Cambreleng Avenue; that on all interior lot lines there shall be constructed a woven wire fence of the chain link type on a masonry base to a total height of 5 feet, 6 inches with no openings therein except two to Cambreleng Avenue, where shown, each fitted with gates and with curb cuts opposite each not over 14 feet wide including splay; that during the term of this variance the premises shall be occupied for no other use; that signs shall be restricted to a permanent sign attached to each gate, advertising the parking and storage use, rates charged and such other information as the Commissioner of Licenses may require; that each sign shall not exceed five square feet, not be illuminated or extend beyond the building line; that such portable fire fighting appliances shall be installed as the Fire Commissioner shall direct; that suitable bumpers shall be maintained at all points for protection of the fences at a proper distance therefrom; that each tenant of a parking space shall be given a key to the gate for entrance thereto and shall lock same upon leaving the premises; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

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457-58-BZ

APPLICANT—Fred C. Dahlem, for Sidjack Realty Corp., owner.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of a vacant plot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2330-2334 Cambreleng Avenue, east side, 274.52 feet south of East 187th Street, Block 3089, Lots 18-19-20, Borough of the Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem, Harry Kobrin and Harry Appleman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 5

Negative: 0

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958, after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1¼ height district; Cambreleng Avenue and Beaumont Avenue are in a residence, business and retail use, B area and class 1¼ height district; 183rd Street is in a business use, B area and class 1¼ height district; 187th Street is in a retail use, B area and class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 24, 1958, acting on Alt. Applic. 485-58, reads:

"1. Proposed parking & storage of more than 5 motor vehicles in a residence use district is contrary to Art. II Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot 75 feet frontage by 100 feet in depth; that it is proposed to create parking and storage of more than five motor vehicles on these premises; that the lot will be fenced properly and kept locked except when in use; that car owners will have keys to the gate; and

WHEREAS, the applicant contends that the section is congested and there are few garage facilities as the area is mixed with five and six story apartment houses and a good number of two family houses with no car space or garages; that these cars are parked in the street and most of these streets are 50 feet streets with 30 feet roadways and are equipped with alternate parking signs; that the lot at present is used by everyone for ball playing, placing rubbish and other nuisances which are annoying to the neighbors; that the owners of this site have also filed for a parking lot on the same street, Block 3088, Lot 27; that between both parking lots the facilities for parking off street could give space to a total of approximately sixty (60) cars; that on this parcel of 75 feet by 100 feet at least 25 cars could be parked and stored; that new residential buildings in this low cost area would be impossible to finance under the present costs of construction; that until such time, the owners obtained this property in in Rem proceeding from the City and feel that enough money can be secured to cover expenses and pay the taxes; and

WHEREAS, the applicant states that the present owner has held title to the property since February 2, 1958; that the assessed valuation of the land is \$9,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district

regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied as proposed for parking and storage of motor vehicles limited to the pleasure car type only, substantially as proposed and as indicated on plans filed with this application marked "Received July 28, 1958", 2 sheets, and "Received November 17, 1958" one sheet, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Cambreleng Avenue and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be on all lot lines, where existing iron fences with brick base or masonry wall of adjoining buildings do not occur, a woven wire fence of the chain link type not less than five feet six inches erected on a masonry base, with no openings therein except one to Cambreleng Avenue, where shown, not exceeding twelve feet in width with curb cut opposite not exceeding 14 feet in width; that such opening shall be fitted with gates of similar construction as the fence and shall be kept closed and locked at all times when the parking lot is not in operation; that parking spaces shall be assigned to individual car owners who shall be furnished a key to the gates and who shall be responsible for relocking gates when owners car is taken from the lot; that sidewalks and curbing in front of the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to one sign attached to the fence near the entrance advertising the parking and storage use and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet, shall not be illuminated and shall not extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that during the term of this variance the premises shall be occupied for no other use and no building shall be erected thereon.

Adjourned 5:05 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 18, 1958,
2 P.M.

Present: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley.

91-40-SA—Vols. I, II, III, IV, V

APPLICANT—The Linde Company, Division of Union Carbide Corp., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional use—re Purox Welding Blowpipes, Prest-O-Welding Blowpipes and attachments; previously

APPEARANCES—

For Applicant: H. M. Neary.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

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THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 91-40-SA, Vols. I, II, III, IV, V.

Subject: Amendment to resolution as to additional use.

The Linde Company, Division of Union Carbide Corp., requested by letter dated June 4, 1958 that the resolution adopted February 20, 1940 under Calendar Number 91-40-SA and amended at various times through Volume V be amended so as to permit the Oxweld, Purox and Prest-O-Weld Cutting and Welding Torches to be used with other fuel gases in addition to acetylene.

Description

The Oxweld, Purox and Prest-O-Weld Cutting and Welding Torches Models W-29, 33, 33CA, 34, 34CA, C-108, W-108, CW-108, W-109, CW-109, C52, C53, C54, W-37, W-26-M, CW-29, C-111, W-110, CM-110, W-111, CW-111, C-3, C-31, C-32, C-35, C-37, C-39, C-48, CW-23, W-5, W-17, W-22, W-23, W-24R, W-26, W-27, W-29, W-30, W-32, W-33, W-201, W-202, W-121, W-122, CW-122, C-112, and 420 were previously approved by the Board under Calendar Number 91-40-SA, Vols. I, II, III, IV, and V for use with acetylene and oxygen.

The request has been made to extend the approval of these torches for use with liquefied petroleum gases, hydrogen, natural and city gas with oxygen in addition to acetylene. For this added use no change will have to be made in the torches other than to use cutting or welding nozzles with larger gas ports.

The total flow of gas and oxygen passing through the mixed gas section of the torch increases when using a fuel gas other than acetylene and when the same heat output is required, therefore the welding head or cutting nozzle must have a larger gas port or ports. The possibility of flashback is not increased when using gases other than acetylene because the rate of flame propagation is slower.

Inspection and Test

Various torches were tested at the Newark Laboratories of the applicant in the presence of Assistant Engineers J. A. Darts and G. F. Sklenarik, Committee on Test and R. A. Neary representing the applicant.

The torches operated satisfactorily without flame strike back when used with natural gas, propane and hydrogen.

Recommendation

The Committee on Test recommends that the resolution adopted under Calendar Number 91-40-SA, Volume I, February 20, 1940 and amended at various times as Volumes II, III, IV and V be reopened and amended so as to permit the use of Oxweld, Purox and Prest-O-Weld Cutting and Welding Torches, Models W-29, 33, 33CA, 34, 34CA, C-108, W-108, CW-108, W-109, CW-109, C52, C53, C54, W-37, W-26-M, CW-29, C-111, W-110, W-111, CW-111, C-3, C-31, C-32, C-35, C-37, C-39, C-48, CW-23, W-5, W-17, W-22, W-23, W-24R, W-26, W-27, W-29, W-30, W-32, W-33, W-201, W-202, W-121, W-122, CW-122, C-112 and 420 with liquefied petroleum gases, hydrogen, natural and city gas, in addition to acetylene, on condition that the requirements of the resolution adopted February 20, 1940 under Calendar Number 91-40-SA, Volume I and amended at various times as Volumes II, III, IV and V be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of February 20, 1940 through April 12, 1955 in accordance with the above report.

866-47-SA

APPLICANT—Linde Company, Division of Union Carbide Corp., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional use—re Oxweld Cutting Blowpipe (various models) and Purox Cutting Attachment Type No. 35; previously approved.

APPEARANCES—

For Applicant: H. M. Neary

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE—To Reopen

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley... 4

Negative: 0

Absent: Commissioner Sleeper 1

THE VOTE—To Amend

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley... 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 866-47-SA

Subject: Amendment to resolution as to additional use.

Linde Company, Division of Union Carbide Corporation, requested by letter dated June 4, 1958, that the resolution adopted May 4, 1948 under Calendar Number 866-47-SA and amended June 17, 1952 be amended so as to permit the Oxweld and Purox Cutting and Welding Torches to be used with other fuel gases in addition to acetylene.

Description

The Oxweld and Purox Cutting and Welding Torches Models C-37R, CO43, C-45, C-56, C-57R, C-58, AC-4, W-39, W-40, W-41, W-42, W-43, W-44 and Purox cutting attachments Type 24 and CW-202 were previously approved by the Board under Calendar Number 866-47-SA for use with oxygen and acetylene.

The request has been made to extend the approval of these torches for use with liquefied petroleum gases, hydrogen, natural and city gas with oxygen, in addition to acetylene. For this added use no change will have to be made in the torches other than to use nozzles with larger gas ports.

The total flow of gas and oxygen passing through the mixed gas section of the torch increases when using a fuel gas other than acetylene and when the same heat output is required, therefore the welding head or cutting nozzle must have a larger gas port or ports. The possibility of flashback is not increased when using gases other than acetylene because the rate of flame propagation is slower.

Inspection and Test

Various torches were tested at the Newark Laboratories of the applicant in the presence of Assistant Engineers J. A. Darts and G. F. Sklenarik, Committee on Tests and R. M. Neary representing the applicant.

The torches operated satisfactorily without flame strike back when used with natural gas, propane and hydrogen.

Recommendation

The Committee on Test recommends that the resolution adopted under Calendar Number 866-47-SA on May 4, 1948 and amended June 17, 1952 be reopened and amended so as to permit the use of Oxweld and Purox Cutting and Welding Torches Models C-37R, C-43, C-45, C-56, C-57R, C-58, AC-4, W-39, W-40, W-41, W-42, W-43, W-44 and Purox cutting attachments, 35 and CW-202 with liquefied petroleum gases, hydrogen, natural and city gas in addition to acetylene,

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on condition that the requirements of the resolution adopted May 4, 1948 under Calendar Number 866-47-SA and amended June 17, 1952 be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved that the Board of Standards and Appeals does hereby *amend* the resolutions of May 4, 1948 through June 17, 1952 in accordance with the above report.

199-55-SA—Vols. I & II

APPLICANT—Linde Company, Division of Union Carbide Corp., owner.

SUBJECT—Application for reopening and amendment of resolution as to additional use—re Oxxweld W-45 Welding Blowpipe and Oxxweld CW-45 Cutting Attachment; previously approved.

APPEARANCES—

For Applicant: H. M. Neary.

ACTION OF BOARD—Application reopened and resolution amended in accordance with the report of Committee on Test.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE VOTE TO AMEND—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Tests reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 199-55-SA, Vols. I & II.

Subject: Amendment to resolution as to additional use.

The Linde Company, Division of Union Carbide Corporation, requested by letter dated June 4, 1958 that the resolution adopted December 13, 1955 under Calendar Number 199-55-SA and amended as Vol. II, April 9, 1957 be amended so as to permit the Oxxweld Welding Torch and Cutting Attachment and the Purox and Presto-O-Weld Welding and Cutting Torches and Attachments to be used with fuel gases in addition to acetylene.

Description

The Oxxweld Model W-45 Welding Torch and Model CW-45 Cutting Attachment and Prest-O-Weld Model W-120, Purox Model W-200 Welding Torches Prest-O-Weld Model CW-120 and Purox Model CW-200 Cutting Attachments and Prest-O-Weld Model C-125 and Purox Model C-205 Machine Cutting Torches were previously approved by the Board under Calendar Number 199-55-SA, Vols. I & II for use with acetylene and oxygen.

The request has been made to extend the approval of these torches for use with liquefied petroleum gases, hydrogen, natural and city gas with oxygen, in addition to acetylene. For this added use no change will have to be made in the torches other than to use cutting or welding nozzles with larger gas ports.

The total flow of gas and oxygen passing through the mixed gas section of the torch increases when using a fuel gas other than acetylene and when the same heat output is required, therefore, the welding head or cutting nozzle must have a larger gas port or ports. The possibility of flashback is not increased when using gases other than acetylene because the rate of flame propagation is slower.

Inspection and Test

Various torches were tested at the Newark Laboratories of the applicant in the presence of Assistant Engineers J. A. Darts and G. F. Sklenarik, Committee on Test and R. A. Neary representing the applicant.

The torches operated satisfactorily without flame strike back when used with natural gas, propane and hydrogen.

Recommendation

The Committee on Test recommends that the resolution adopted December 13, 1955 under Calendar Number 199-55-SA and amended as Volume II, April 9, 1957, be reopened and amended so as to permit the use of Oxxweld Model W-45 Welding Torch and Model CW-45, and Prest-O-Weld Model W-120, Purox Model W-200 Welding Torches, Prest-O-Weld Model CW-120 and Purox Model C-200 Cutting Attachments and Prest-O-Weld Model C-125 and Purox Model C-205 Machine Cutting Torches with liquefied petroleum gases, hydrogen, natural and city gas in addition to acetylene on condition that the requirements of the resolution adopted December 13, 1955 under Calendar Number 199-55-SA, Volume I and amended as Volume II, April 9, 1957 be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of December 13, 1955 through April 9, 1957 in accordance with the above report.

700-55-SA

APPLICANT—Vacuum Gas Burner Co., owner (Union Stove Works, Inc., Agent).

SUBJECT—Application August 12, 1955—Blu-Flame Gas-fired Space Heater, Models VG-30, VG-45 and VG-60, approval of.

APPEARANCES—

For Applicant: George G. Wolfe.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on test reads.

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 700-55-SA

Subject: Blu-Flame—Models VG-35, VG-45, VG-50 and VG-60.

Vacuum Stove Works, Inc., filed August 12, 1955 an application with the Board of Standards and Appeals for approval of the appliance known as The Blu-Flame, Models VG-35, VG-45, VG-50, and VG-60 Space Heaters under the provisions of Article 12, Chapter 26, Administrative Building Code.

Purpose

The appliance is a gas fired space heater.

Description

The space heaters are designed for BTU input ranging from 35,000 to 60,000 BTU per hour.

The heater is an assembly of parts; namely a chassis, cabinet burners, heat exchanger, draft diverter and controls.

MINUTES

The combustion chamber is constructed of 18 gauge steel and the jacket is of 20 gauge steel.

The heat exchanger is a multi tube heater type assembly of wedge tube design. The draft diverter section at the top is also integral with the heat exchanger tubes and is made of aluminized steel.

The burners are of the cast iron drilled port type.

Inspection and Test

The heaters have been approved by the American Gas Association under certificate numbers 2-2175.201, 2-1275.101, 2-1275.001.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Blu-Flame Models VG-35, VG-45, VG-50, and VG-60 Space Heaters for use in New York City when installed in accordance with the requirements of Article 12, Chapter 26, Administrative Building Code on condition that the units shall not be installed in garages or places of explosive atmospheres and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 700-55-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

878-56-SM

APPLICANT—Burke, Anzini & Court Co. Inc., for Tropical Tiles Inc., owner.

SUBJECT—Application December 13, 1956 — Vibracast Cement Tile, approval of.

APPEARANCES—

For Applicant: Basil F. Nola.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 878-56-SM.

Subject: Vibracast Cement Tile.

Burke, Anzini & Court Co., Inc., Roslyn, New York, for Tropical Tiles Inc., Orlando, Florida filed December 13, 1956 an application with the Board of Standards and Appeals for approval of the material known as Vibracast Cement Tile under the provisions of the Veneering Rules of the Board.

Purpose

The material is to be used as an exterior and interior veneer.

Description

The tile is made of white portland cement, coarse white sand and mineral oxide pigments. The sizes of the tile are 6" x 6", 6" x 12", and 12" x 12", all 1/2" in thickness and 18" x 18" x 1 1/2" and 24" x 24" x 1 1/2" and weigh approximately 15 lbs. per square foot per inch of thickness.

Inspection and Test

The tiles were tested by Haller Testing Laboratories with the following results:

1. Absorption—7.8%

Abrasion—Loss of weight after 8000 strokes of the abrasion machine—70 strokes per minute.

Weight of Load—2500 grams—5 gram maximum.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the material known as Vibracast Cement Tile for voluntary use in New York City, when installed in accordance with the Veneering Rules of the Board and all anchorage shall comply with said rules and further that all cartons in which the material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 878-56-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

571-57-SA

APPLICANT—Forse Corporation, owner.

SUBJECT—Application July 16, 1957—Forse Corporation Shirt-Pressing and Folding Machine, approval of.

APPEARANCES—

For Applicant: Allen H. Weiss.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test for voluntary use.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 571-57-SA

Subject: Forse Corporation Shirt Pressing and Folding Machines.

Forse Corporation, Anderson, Indiana, filed July 16, 1957 an application with the Board of Standards and Appeals for approval of the Forse Corporation Shirt Pressing and Folding Machines, Models 32-VB, 27-VCY, 75-SL, 5-CF, 10-MF, 20-MF, 32-VBE, 27-VCYE, 75-SLE and 5-CFL under the provisions of C26-178.0.b and C26-191.0 Administrative Building Code.

Purpose

Shirt pressing equipment for commercial use.

Description

The model 32-VB a bosom-body shirt press consists of a frame which houses, positions and serves as a holding bracket for the mechanical components which, when activated by a compressed air circuit move a steam heated head into contact with a steam heated, padded buck applying sufficient pressure to iron and dry the part of the shirt worked on. When the control is released by the operator, the head is returned to its original position.

Air pressure is supplied to the unit at 65 to 100 psi and steam at 100 psi.

The model 27 VCY Collar-Cuff-Yoke Press is almost identical to the construction and operation of the 32 VB press, except that it has two pressing heads that operate as a single unit and two bucks.

The model 75 SL Master Sleever finishes both sleeves in one operation by holding them taut while applying direct and indirect drying heat. Direct heat comes from expanding steam heated forms; indirect heat comes from a 1/3 hp motor

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driven fan in the base of the machine which blows warm air into the forms and against inside of sleeves.

Operating air pressure is 50 to 75 psi. Steam pressure is 100 psi.

The Model 5 CF Steam Collar Former has no moving mechanical parts and no compressed air circuit. It consists of a base, 19 inches in diameter to which is welded a 2 inch steel tube upright. A steam head is attached to the upright and steam at 100 psi is supplied to the head.

The Model 10 MF Master Hand Folder is a manually operated shirt folding machine.

The Model 20 MF Master Folder is a semi-automatic shirt folding machine operated on air pressure of 75 psi.

The 32-VBE, 27-VCYE and 75 SLE are similar to the corresponding steam heated models except that electrical resistance heaters are installed in the heads of the machines to supply the heat. The 5-CFL unit is heated by a 150 watt bulb installed in the head.

Suitable thermostats and switches are provided.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The electrically heated equipment has been tested and approved by the Underwriters' Laboratories under file E 29330.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Forse Corporation Shirt Pressing and Folding Machines, Models 32-VB, 32-VBE, 27-VCY, 27-VCYE, 75-SL, 75-SLE, 5-CF, C-CFL, 10-MF, and 20-MF for use in New York City in accordance with this report provided that each machine shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 571-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance for voluntary use in accordance with the above report.

583-57-SA

APPLICANT—Air Reduction Company, owner.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution—re Airco Liquid Oxygen Station, storage and vaporization of liquid oxygen, nitrogen and argon, Models 5-4, 7-8, 9-8, 9-25, 9-40 and 9-100; previously approved.

APPEARANCES—

For Applicant: W. E. Schaefer.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 583-57-SA.

Subject: Amendment to resolution.

Air Reduction Company requested by letter dated May 14, 1958, that the resolution adopted March 18, 1958, under Calendar Number 583-57-SA be amended so as to reduce the clearance requirements for the installation of the Airco Liquid Oxygen Stations. The application was reopened by a vote of the Board June 10, 1958.

Recommendation

The Committee on Test recommends that the resolution adopted March 18, 1958 under Calendar Number 583-57-SA be amended as to the clearance requirements for the installation of Airco Liquid Oxygen Stations in that stations larger than the 5-4 model may be installed with a 5 foot clearance from adjacent structures provided such installations are made on industrial sites and that the adjacent structures have fire resistive exterior walls and that there are no openings in such structures within 25 feet, measured in any direction, of the oxygen station and on condition that the other requirements of the resolution adopted March 18, 1958 under Calendar Number 583-57-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 18, 1958 in accordance with the above report.

662-57-SM

APPLICANT—E. K. Lofberg, for Corning Glass Works, owner.

SUBJECT—Application August 22, 1957—Pyrex Brand Glass Pipe, approval of.

APPEARANCES—

For Applicant: Edward K. Lofberg and Charles R. Barrett.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 662-57-SM.

Subject: Pyrex Brand Glass Pipe.

E. K. Lofberg for Corning Glass Works, Corning, New York filed August 22, 1957 an application with the Board of Standards and Appeals for approval of the material known as Pyrex Brand Glass Pipe under the provisions of C26-1297.0 and C26-1302.0 Administrative Building Code.

Purpose

The material is to be used for piping materials for handling acid waste.

Description

The material is of glass of special composition, a borosilicate glass with a low alkali content, made especially for the chemical industry due to its acid resisting qualities and its low thermal expansion which is actually 0.22 inches per 100 feet per 100°F rise in temperature.

It has been found that sediment build-up is small, since waste finds it hard to cling to the hardsmooth surface of the glass.

When installed, the gasketing material at the joints should be of acid resisting material.

Inspection and Test

The following tests were conducted on the pipe:

1. Hydrostatic Test—An assembly of P-type trap, a three foot length and a seven foot length of pipe was hydrostatically tested to a ten foot head of water—Results—showed no leaks.

2. Deflection Test.—Three foot length of 1½ inch pipe was tested as a beam with a concentrated load at mid span. Results—Pipe shattered under a load of 385 lbs.

3. Deflection Test—The same physical test as described

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under 2 except that the concentrated load at mid-span was placed directly over a joint. Result—Pipe broke 1 inch from gasket at a load of 380 lbs.

The glass pipe has been used extensively in the photo engraving and engraving industry, and has been approved by various municipalities.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the material known as Pyrex Brand Glass Pipe for voluntary use as a piping material for handling acid waste under the provisions of C26-1297.0 and C26-1302.0 Administrative Building Code on condition that the hangers and supports shall comply with the requirements of C26-1263.0 through C26-1267.0 Administrative Building Code and that all traps shall comply with the requirements of C26-1255.0 through C26-1262.0 Administrative Building Code on condition that all cartons in which the material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 662-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

819-57-SM

APPLICANT—J. W. Brennan, for Pittsburgh Corning Corp., owner.

SUBJECT—Application October 29, 1957—Durasonic Foamglas (acoustical tile) approval of.

APPEARANCES—

For Applicant: J. W. Brennan and H. F. Kingsbury.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 819-57-SM

Subject: Durasonic Foamglas (Acoustical Tile)

The Pittsburgh Corning Corporation of Pittsburgh, Pa., filed October 29, 1957 an application with the Board of Standards and Appeals for approval of their Durasonic Foamglas (Acoustical Tile) under the requirements of C26-88.0, as listed in the Administrative Building Code.

Purpose

To be used as a sound absorber.

Description

Durasonic Foamglas (Acoustical Tile) is the same as Pittsburgh Corning Corporation's, P C Foamglas Insulation, Calendar Number 131-44-SM, approved under C26-191.0, April 25, 1944, as meeting C26-88.0.

Durasonic Foamglas (Acoustical Tile) is made from a modified Boro-Silicate Glass. The only other ingredient in Durasonic Foamglas (Acoustical Tile) is the small percentage of carbon that is added during the grinding process. This batch is then weighed and placed in stainless steel molds. The molds are rectangular in shape and are composed of two similar pans.

The molds containing the powdered batch are fed into a gas fired, continuous roller furnace, in which the temperatures are properly controlled. As the glass powder becomes viscous, gas is generated, but since it cannot escape, it forms

tiny bubbles or cells, thus swelling the glass and filling the molds. The resulting blocks are considered quite homogeneous. After the duraface foamglas blocks are formed in the oven, they are removed and placed in a lehr for annealing and cooling.

The rough blocks are trimmed to size, then air pressure is introduced into the cells in order to break down the thin, inter-connecting cell walls, and thus provide the acoustical properties for the Durasonic Foamglas.

Inspection and Test

A test for incombustibility of Foamglas was made in accordance with the requirements of C26-88.0 of the Administrative Building Code. The results of the test are the same as approved under Calendar Number 131-44-SM, April 25, 1944.

Recommendation

On the basis of the foregoing data, the Committee on Tests recommends the approval of Durasonic Foamglas (Acoustical Tile) for use as an incombustible sound absorption material in all classes of construction under C26-191.0a provided the material is made and used as prescribed herein.

It is further recommended that each shipping container of Durasonic Foamglas (Acoustical Tile) be stamped, tagged, labelled or marked reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 819-57-SN".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

897-57-SM

APPLICANT—I. M. Conviser for Conviser and Co., owner.

SUBJECT—Application November 29, 1957—Conviser Concrete-filled Steel Columns, (square & rectangular), approval of.

APPEARANCES—

For Applicant: Irving Conviser.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT ON COMMITTEE ON TEST

Re: Calendar Number 897-57-SM

Subject: Conviser Concrete Filled Steel Columns—Square and Rectangular.

Conviser and Company, Brooklyn, New York, filed November 29, 1957, an application with the Board of Standards and Appeals for approval of the Conviser Concrete Filled Steel Columns—Square and Rectangular, under the provisions of C26-191.0 Administrative Building Code.

Purpose

The columns are to be used as structural supports in building construction.

Description

The columns as proposed are designated as Square and Rectangular and consists of a steel casing filled with a concrete mix. The mix consists of 1 part of approved cement, 1½ parts of sand and 3 parts of crushed stone and 5 gallons of water per sack of cement. The concrete is poured

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into the tube and is rodded and vibrated to give a compact mass. A base plate is welded onto the tube before filling and later a cap is welded onto the tube after the concrete sets.

Inspection and Test

The columns were load tested at Lehigh University with the following results.

Size in Inches	Steel Thickness	Steel Area	Concrete Base	Ult. Load
2 x 4	1/4 Inch	2.75	5.25	66,000
3 x 6	1/4 Inch	4.25	13.75	133,000
3 x 8	1/4 Inch	5.25	18.75	164,000
3 1/2 x 3 1/2	1/4 Inch	3.25	9.00	133,000
4 x 4	1/4 Inch	3.75	12.25	146,000
4 x 8	1/4 Inch	5.75	26.25	282,000
4 1/2 x 4 1/2	1/4 Inch	4.25	16.00	185,000
5 x 5	1/4 Inch	4.75	20.25	218,000
5 1/2 x 5 1/2	1/4 Inch	5.25	25.00	274,000
6 x 6	1/4 Inch	5.75	30.25	311,000

Length in Feet

Size	6	7	8	9	10	11	12	13	14	15	16
2 x 4 x 1/4	42	39	36	33	30	26					
3 x 6 x 1/4	82	78	75	71	67	64	60				
3 x 8 x 1/4	108	104	100	96	92	88	84				
3 1/2 x 3 1/2 x 1/4	56	53	50	47	43	39	35				
4 x 4 x 1/4	71	67	64	60	57	53	50				
4 x 8 x 1/4	118	112	106	100	94	88	83				
4 1/2 x 4 1/2 x 1/4	84	81	77	73	69	66	62	58			
5 x 5 x 1/4	102	98	94	90	86	83	80	76	72	68	
5 1/2 x 5 1/2 x 1/4	115	111	108	104	100	96	92	88	84	80	
6 x 6 x 1/4	135	131	127	123	119	115	111	107	103	100	96

on condition that all shells be cut trim and square; all bare plates and caps to be designed to resist punching shear and of a size to adequately distribute the load; all holes in the base plates and caps for bolts, etc., are to be punched or drilled before the plates are welded to the tube; the cap and base plates to be pressed tightly against the shell prior to welding; a 1/4 inch inspection hole shall be maintained clear through the column at the 1/3 points of length and all columns shall be marked "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 897-57-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

898-57-SM

APPLICANT—I. M. Conviser, for Conviser and Co., owner.

SUBJECT—Application November 29, 1957—Conviser Steel Shell Concrete-filled Columns, (Large diameter) approval of.

APPEARANCES—

For Applicant: Irving Conviser.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

The safe carrying load will be based on the following formula:

$$P = (AC + 12 As) (1600 - 24 l/d)$$

P= Safe Carrying load

Ac= Area of concrete

As= Area of steel

l/d= Length of column in inches divided

D= .3183As

The ultimate load at failure must be three (3) times the computed load, as figured by the above formula for the greatest length tested.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the Conviser Concrete Filled Steel Columns—Square and Rectangular, for use in New York City, for sizes and for safe carrying concentric loads in kips as shown in the following table.

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 898-57-SN

Subject: Conviser Steel Shell Concrete Filled Steel Columns, Large Diameter.

Conviser and Company, New York, Filed November 29, 1957 an application with the Board of Standards and Appeals for approval of the material known as Conviser Steel Shell Concrete Filled Steel Columns—Large Diameter, under the provisions of C-26-191.0 Administrative Building Code.

Purpose

The columns are to be used as structural supports in building construction.

Description

The columns are designed as large diameter series and consists of pipe filled with a concrete mix. The mix consists of 1 part of approved cement, 1 1/2 parts of sand and 3 parts of crushed stone and 5 gallons of water per sack of cement. The concrete is poured into the tube and is rodded and vibrated to give a compact mass. A base plate is welded onto the tube before filling and late a cap is welded onto the tube after the concrete sets.

Inspection and Test

The columns were load tested at Lehigh University and the results of the test were as follows:

	Dia.	Area of Steel	Area of Concrete	Steel Thickness	Length Tested	Failure Load
	7 5/8	6.92	38.74	.300	18	467,000
	8 5/8	8.40	50.03	.300	18	677,000
	9 5/8	9.97	62.79	.342	19	809,500
	10 3/4	11.91	78.86	.365	21	807,000
	12 3/4	14.58	113.10	.375	21	1206,000

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The safe carrying load will be based on the following formula:

P=(Ac + 12 As) (1600 - 24 1/d)
P=Safe carrying load
Ac=Area of concrete
As=Area of steel
1/d=Length of column in inches divided

The ultimate load at failure must be three (3) times the

computed load, as figured by the above formula for the greatest length tested.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the Conviser Steel Shell Concrete Filled Steel Columns, Large Diameter, for use in New York, for sizes and for safe carrying concentric loads in kips as shown in the following table.

Unbraced Length in Feet

Dia.	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
7 7/8	166	161	157	152	148	143	139	154	130	125	121	116	111		
8 5/8	211	206	201	196	191	186	181	176	171	166	161	156	151		
9 5/8	259	254	249	243	237	232	227	221	216	210	205	199	194	189	
10 3/4	319	313	307	301	295	289	284	278	272	266	260	254	248	242	236
12 3/4	422	415	409	402	396	389	383	376	370	363	357	350	344	337	331

on condition that all shells be cut trim and square; all bare plates and caps to be designed to resist punching shear and of a size to adequately distribute the load; all holes in the base plates and caps for bolts etc., are to be punched or drilled before the plates are welded to the tube; the cap and base plates to be pressed tightly against the shell prior to welding; a 1/4 inch inspection hole shall be maintained clear through the column at the 1/3 points of length and all columns shall be marked "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 898-57-SM".

(Sgd.) SAMUEL L. BECKER, Director,
JOHN A. DARTS, Assistant Engineer,
GEORGE F. SKLENARIK, Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

899-57-SM
APPLICANT—I. M. Conviser for Conviser and Co. owner.
SUBJECT—Application November 29, 1957 — Conviser Concrete-filled Steel Columns, Extra heavy-weight series, approval of.
APPEARANCES—
For Applicant: Irving Conviser.
ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.
THE VOTE—
Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—
WHEREAS, the report of a Committee on Test reads:
REPORT OF COMMITTEE ON TEST
Re: Calendar Number 899-57-SM.
Subject: Conviser Concrete-Filled Steel Columns, Extra Heavy Weight Series.

Conviser and Company, Brooklyn, New York, filed November 29, 1957, an application with the Board of Standards and Appeals for approval of the Conviser Concrete Filled

Steel Columns extra heavy weight series under the provisions of C26-191.0 Administrative Building Code.

Purpose

The columns are to be used as structural supports in building construction.

Description

The columns as proposed are designated as Extra Heavy Weight Series and consists of pipe filled with a concrete mix. The mix consists of 1 part of approved cement, 1 1/2 parts of sand and 3 parts of crushed stone and 5 gallons of water per sack of cement. The concrete is poured into the tube and is rodded and vibrated to give a compact mass. A base plate is welded onto the tube before filling and later a cap is welded onto the tube after the concrete sets.

Inspection and Test

The columns were load tested at Columbia University and the results of the test were as follows:

Dia.	Area of Steel	Area of Concrete	Steel Thickness	Length Tested Ft.	Failure Load lbs.
3 1/2	3.2	6.38	0.300	12	111,800
4	3.68	8.89	0.318	14	139,500
4 1/2	4.41	11.50	0.337	15	222,000
5	4.75	14.68	0.355	15	305,000
5 1/2	6.11	18.19	0.375	17	293,500
6 5/8	8.41	26.07	0.432	18	440,000
8 5/8	12.76	45.66	0.500	18	No failure

The safe carrying load will be based on the following formula:

P = (Ac + 12 As) (1600 - 24 1/d)
P = Safe carrying load
Ac = Area of concrete
As = Area of steel
1/d = Length of column in inches divided

The ultimate load at failure must be three (3) times the computed load, as figured by the above formula for the greatest length tested.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the Conviser Concrete Filled Steel Columns—Extra Heavy Weight Series, for use in New York City, for sizes and for safe carrying concentric loads in kips as shown in the following table.

MINUTES

Unbraced Length of Col. in Feet

Dia.	6	7	8	9	10	11	12	13	14	15	16	17	18
3½	27.7	31	35	38.5	42.8	46	50						
4	63	59	55	51	47	43	39	35	31				
4½	78	74	70	66	62	57	52	47	43	39			
5	33	35.3	38.5	40.7	44	46	48	51.5	53.6	57			
5½	117	113	108	104	99	94	89	84	79	74	70	65	
6¾	169	164	159	153	148	143	137	132	126	121	115	110	104
8¾	279	272	265	258	250	244	239	232	225	219	212	206	199

on condition that all shells be cut trim and square; all bare plates and caps to be designed to resist punching shear end of a size to adequately distribute the load; all holes in the base plates and caps for bolts etc., are to be punched or drilled before the plates are welded to the tube; the cap and base plates to be pressed tightly against the shell prior to welding; a ¼ inch inspection hole shall be maintained clear through the column at the ⅓ points of length and all columns shall be marked "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 899-57-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

900-57-SM

APPLICANT—Joseph Platzker, for Curtiss-Wright Corp., owner.

SUBJECT—Application December 2, 1957—Curon, Wall Covering, approval of.

APPEARANCES—

For Applicant: Joseph Platzker.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 900-57-SM

Subject: Curon, Wall Covering.

Joseph Platzker for Curtiss-Wright Corp., New York, filed December 2, 1957 an application with the Board of Standards and Appeals for approval of the material known as Curon under the provisions of C26-88.0 and C26-667.0 Administrative Building Code.

Purpose

The material is to be used as an incombustible wall and ceiling covering.

Description

The material is a sponge like plastic material and is basically a flexible urethane foam product having a uniform fine cell structure and an average density of 2.7 pounds per cubic foot. The material comes in tile form 10 inches by 10 inches and is usually, for ceiling coverings made in a thickness of ¼ inch. The tile is fastened to an incombustible backing by means of a methyl cellulose water-dispersion paste.

Inspection and Test

The material was tested at Foster D. Snell Laboratory in the presence of Ass't Engr. J. A. Darts, Committee on Test.

The material was tested in accordance with the requirements of Federal Specifications SS-A-118b and met the requirements of incombustibility.

The products of combustion were tested for toxicity and the results show that they are no more dangerous than those from other materials used in building construction.

The complete report is on file with and is part of the record.

On the basis of the test and the data filed by the applicant, The Committee on Test recommends the approval of the material Curon for voluntary use in New York City as an incombustible wall and ceiling covering on condition that the tile weighing approximately 1 ounce per tile be backed up solidly by an incombustible backing, on condition that the adhesive be as herein described and further that each carton in which the material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 900-57-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

950-57-SA

APPLICANT—Dearborn Stove Co., owner.

SUBJECT—Application October 24, 1957—Dearborn Gas-fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A and DVCK-60A, approval of.

APPEARANCES—

For Applicant: Edward J. Denecke.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 950-57-SA

Subject: Dearborn Gas-Fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A, and DVCK-60A.

The Dearborn Stove Company, owner, filed October 24, 1957, an application with the Board of Standards and Appeals for approval of the Dearborn-Gas-Fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A and DVCK-60, under the provisions of Article 12 of the Administrative Building Code.

MINUTES

Purpose

To heat room areas.

Description

These are gas-fired vented space heaters, the outer cabinet and interior construction is made of 20 U. S. gauge sheet metal. The burners are of cast iron with shut off valve and manual pilot. The normal input rating of the appliance when equipped with pressure regulator is 65,000 Btu per hour and without pressure regulator is 60,000 Btu per hour. Models DVC-12A, DVCK-20A, DVCK-40A, DVCK-60A are circulating gas heaters, flue connected with 12,000, 20,000, 40,000 and 60,000 Btu capacity. Models DVRCK-30A, DVRCK-45A and DVRCK-65A are circulating and radiant heaters, flue connected with 30,000, 45,000 and 65,000 Btu capacity. These heaters have manual or safety pilot and can be manually or thermostatically controlled.

The twin-wheel blower is available as optional equipment for models DVRCK-30, DVRCK-45, DVRCK-65, DVCK-40A and DVCK-60A.

Inspection and Test

All details of construction of these heaters were examined and it was noted that they have been tested and approved by the American Gas Association, certificate numbers 2-966-6.001, 2-(924.7 & -4.6).001, 2-(924-100.0 & -1.9).001, 2-(924-1.8 & -4.5).001, 2-(924-1.7 & -5.6).001, 2-(924.8 & -3.5).001, 2-(924-89.0, -99.0 & .9).001, 2-966-5.001, 2-1428.101, 2-1428-1.101, 2-(924-1.5, -4.5 & -7.5).001, 2-(924.6 & -4.6).001, 2-(924-1.6 & -5.6).001, 2-(924.5, -3.5 & -6.5).001, issued January 1, 1957.

Recommendation

On the basis of this inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the Dearborn Gas-Fired Vented Space Heaters, Models DVC-12A, DVCK-20A, DVCK-40A, DVRCK-30A, DVRCK-45A, DVRCK-65A, and DVCK-60A, for use in New York City, when installed and operated in accordance with this report and the requirements of Article 12 of the Administrative Building Code, provided that each heater bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 950-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

57-58-SM

APPLICANT—National Gypsum Co., owner.
SUBJECT—Application January 2, 1958—Gold Bond Acoustiroc Acoustical Tile and Panels, and Gold Bond Acoustiglas Ceiling Panels, approval of.
APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 57-58-SM

Subject: Gold Bond Acoustiroc and Acoustiglas Ceiling Tile and Panels (incombustible acoustical materials).

The National Gypsum Company, Buffalo, New York, filed January 2, 1958 an application with the Board of Standards and Appeals for approval of Gold Bond Acoustiroc and Acoustiglas Ceiling Tile and Panels under the provisions of C26-88.0 and C26-191.0 Administrative Building Code.

Purpose

The materials are to be used as incombustible acoustical ceiling tile or panels.

Description

Gold Bond Acoustiroc Acoustical Tile is a substantially rigid incombustible product composed of mineral wool fibers and a suitable binder. The tiles are furnished in these sizes: $\frac{1}{2}$ " x 12" x 12", $\frac{3}{4}$ " x 12" x 12" and $\frac{3}{4}$ " x 12" x 24". Supplied with various edge treatments depending on method of attachment (adhered to a solid backing or held by a metal suspension system such as the Gold Bond "J" System approved under Calendar Number 754-52-SM). The surface is smooth, perforated or striated and is factory coated with a flame resistant paint.

Gold Bond Acoustiroc Acoustical Ceiling Panels, composed of the same materials and manufactured in the same way as the tiles described above, have square edges and are designed for use in metal grid suspension systems. They are furnished in these sizes (other sizes on special request): $\frac{3}{4}$ " x 23 $\frac{7}{8}$ " x 23 $\frac{7}{8}$ " and $\frac{3}{4}$ " x 23 $\frac{7}{8}$ " x 47 $\frac{7}{8}$ ". The surface is smooth, perforated or striated and is factory coated with a flame resistant paint.

Inspection and Test

Samples of the material were tested in accordance with the requirements of SS-A-118b and were found to be incombustible. The complete report is on file and is part of the record.

Recommendation

On the basis of the inspection and test data filed by the applicant, the Committee on Test recommends that Gold Bond Acoustiroc and Acoustiglas Acoustical Ceiling Tiles and Panels be approved for use as incombustible acoustical tiles and panels under the provisions of C26-88.0 Administrative Building Code providing all packages or cartons in which the material is marketed are labeled, marked or tagged as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 57-58-SM."

The Committee further recommends that these tiles shall be used in conjunction with an approved suspension system and shall not be applied directly to the ceiling above by means of an adhesive.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

162-58-SA

APPLICANT—Electrol Burner Manufacturing Co., Inc., owner.

SUBJECT—Application March 18, 1958—Electrol Oil Burners, Models HO-2, HO-3 and HO-4, approval of.

APPEARANCES—

For Applicant: Robert Audler.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

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REPORT OF COMMITTEE ON TEST

Re: Calendar Number 162-58-SA.

Subject: Electrol Oil Burner, Models HO-2, HO-3 and HO-4.

Electrol Burner Co., Inc., Rutherford, New Jersey, filed March 18, 1958 an application with the Board of Standards and Appeals for approval of the appliance known as the Electrol Oil Burner, Models HO-2, HO-3, and HO-4 under the provision of the Oil Burner Rules of the Board.

Purpose

The appliance is an oil burner using number 4 oil as fuel.

Description

The models HO-2, HO-3 and HO-4 are basically the same oil burner as approved by the Board for the Electrol Burner Co., Inc., under Calendar Number 575-39-SA to which has been added an electric oil preheater, a magnetic oil valve and aquastat.

Inspection and Test

Details of construction were examined by Ass't Engr. J. A. Darts, Committee on Test. The burner has been approved by the Underwriters Laboratory under MP 1334.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as the Electrol Oil Burner, Model HO-2, HO-3 and HO-4 for use in New York City, with fuel oil not heavier than number 4 when installed in accordance with the requirements of Article 12, Chapter 26, Administrative Building Code and the Oil Burner Rules of the Board on condition that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 162-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

220-58-SM

APPLICANT—Charles Bloom, Inc., owner.

SUBJECT—Application March 24, 1958—Fire LL, loom-woven and printed Drapery Fabrics, flameproofed, approval of.

APPEARANCES—

For Applicant: Maurice Mazer.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 220-58-SM.

Subject: Fire-LL Drapery Fabric.

Charles Bloom, Inc., New York, filed March 24, 1958 an application with the Board of Standards and Appeals for approval of the material known as Fire-LL Drapery under the provisions of the Flameproofing Rules of the Board.

Purpose

The material is a flame proof fabric to be used as drapery material in places of public assembly.

Description

The fabric is a modified acrilonitrile fabric and is basically in the same family as the Dynels.

Inspection and Test

Samples of the fabric were tested at the Better Fabrics Testing Bureau and the results were as following; there was no flashing, flaming or glow, as the fabric melts or fuses when contacted by the flame. The complete report is on file with and is part of the application.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test, recommends the approval of the material known as Fire-LL Drapery Fabric for use in New York City as a fabric in places of public assembly as provided under the Flameproofing Rules of the Board. Any tests or retests as required by the Fire Commissioner shall be conducted by him as prescribed in the above mentioned rules.

The Committee further recommends that all cartons in which this material is to be marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 220-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

267-58-SA

APPLICANT—The Standard Electric Time Co., owner.

SUBJECT—Application March 26, 1958—Standard Electric Time Co., Emergency Lighting System, Type 32, Series 300, approval of.

APPEARANCES—

For Applicant: Philip H. Holden.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test for voluntary use.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 267-58-SA.

Subject: Standard Electric Time Co., Emergency Lighting System, Type 32, Series 300.

Standard Electric Time Co., Springfield, Mass., filed March 26, 1958 an application with the Board of Standards and Appeals for approval of the Standard Electric Time Co., Emergency Lighting System, Type 32, Series 300, for use in New York City under the provisions of C26.191 Administrative Code.

Purpose

An automatic lighting system to operate during a power failure.

Description

The Standard Electric Time Co. Emergency Lighting System, Series 300 is a 32 volt system designed to provide dependable emergency illumination in public and private buildings from a central power and control station. It is automatic in both operation and recovery and is under con-

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stant electrical supervision to warn of any disarrangement in any part of the system including the condition of individual lamps.

The system uses separate lamp fixtures and all emergency lighting circuits are independent of the building's regular lighting circuit.

Emergency electrical power is derived from a Flexlab Nickel-Cadmium battery that is contained within the Control Console. It is a non-acid (no corrosion) battery of low internal resistance and provides a stable discharge voltage. It can be kept fully charged for long periods of time without harm and cannot be damaged by overcharging.

The equipment of the Series 300 Emergency Lighting System includes the following elements:

1. Emergency Lighting Control Console—contains Flexlab Nickel-Cadmium battery, Battery Charger, Controls, Supervisory Signals, Voltmeter and Ammeter.
2. Distribution Panel—contains fuses for all area circuits.
3. Area Control Panels—contain area controls, trouble signals, transfer switches, and terminals for all lamp circuits.
4. Emergency Lighting Lamp Fixtures.

Control Console—The 32 Volt Flexlab Nickel-Cadmium battery is contained in the lower chamber. Transformer, rectifier, circuit breakers, control relays, terminals, etc., are contained in the upper section.

Controls include three operating signal lights, two trouble lights, each with audible alarms and silencing switches, circuit breakers, a d-c voltmeter and ammeter both with press-to-test switches. Both meters have color bands representing actual operating conditions in addition to reading in volts and amperes.

Distribution Panel—It is shipped with fustat adapters but not fustats. Models of the panel are made for 2, 4, 6, 8, 10 and/or 12 circuits and for either surface or flush mounting. $\frac{1}{2}$ ", $\frac{3}{4}$ ", 1" and $1\frac{1}{4}$ " knockouts for conduit connections are on all four sides of the back box.

Area Control Panel—On the face of the cover is a red pilot light (trouble signal), one trouble silencing switch, and one pushbutton test switch. Within the enclosure are operating relays, audible trouble signal, and terminal strips for incoming d-c and a-c wiring and for connecting each emergency lamp circuit. Each panel contains terminals and fuses for eight emergency lamp circuits. $\frac{1}{2}$ ", $\frac{3}{4}$ ", 1", and $1\frac{1}{4}$ " knockouts are on all four sides of both flush and surface type panels. Panels are finished in hammer-tone gray.

Inspection and Test

This lighting system was inspected and tested at the plant of the applicant at Springfield, Mass. Present were Ass't. Engr. G. F. Sklenarik, Ass't. Arch't. T. Farricker, Committee on Test, Supervising Electrical Inspector R. Lent of the Fire Department and representatives of the applicant. The system functioned satisfactorily as designed.

The component parts of the system were tested and approved by the Underwriters Laboratories.

Recommendation

On the basis of the inspection and test and the data submitted by the applicant, the Committee on Test is of the opinion that the Standard Electric Time Co. Emergency Lighting System, Type 32, Series 300, meets the requirements for emergency lighting systems as set forth in Section C26-280, C26-743, C26-744 and C26-745 Administrative Code and Sections B30-233 through B30-240 of the Electrical Code of the City of New York and therefore recommends approval of the Standard Electric Time Co. Emergency Lighting System, Type 32, Series 300, for voluntary use in New York City when installed in accordance with this report and the requirements of law, provided that each control console, distribution panel and area control panel shall bear a label, permanently affixed, reading "Approved

by the Board of Standards and Appeals for use in New York City, under Calendar Number 267-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance for voluntary use in accordance with the above report.

271-58-SM

APPLICANT—Duffy Concrete Products, Inc., owner.
SUBJECT—Application April 25, 1958—Duffcon Longspan Precast Concrete Super Slabs, approval of.

APPEARANCES—

For Applicant: Francis X. Duffy.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating and Commissioner Foley 3
Negative: Commissioner Kleinert 1
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 271-58-SM.

Subject: Duffcon Longspan Precast Concrete Super Slabs.

Duffy Concrete Products Inc., Tenafly, New Jersey filed April 25, 1958, an application with the Board of Standards and Appeals for approval of the material known as Duffcon Longspan Precast Concrete Super Slabs under the provisions of C26-344.0, C26-345.0, C26-364, C26-509.0 and C26-626.0 Administrative Building Code.

Purpose

The units are to be used as a precast floor or roof slab.

Description

The slabs are a precast reinforced controlled concrete slab cast in the shape of a double tee. The web of the tee is reinforced with galvanized welded wire fabric and the legs by means of one or two deformed reinforcing bars. The units are then cast in rigid steel forms. After removal of the forms, the slabs are allowed to cure.

The applicant claims that the design is based on accepted engineering formulae, and stresses as allowed under the A.C.I. It is to be noted, however that the A.C.I. allows stresses of 3750 p.s.i. in the concrete whereas C26-364.0 limits the stress to 3500 p.s.i.

Inspection and Test

The applicant submitted load tables based on design calculations so in order to check the validity of these tables, load tests, conducted in accordance with the requirement of C26-626.0 Administrative Building Code were conducted on slabs of various spans.

Results were as follows:

Slab	Design Load	Test Load	Factor of Safety
2-7/7-20'-0"	136 lbs. sq. ft.	386 lbs./sq.ft.	2.80
1-8-24'-0"	61 lbs./sq.ft.	137 lbs./sq.ft.	2.25
2-7/7-29 $\frac{1}{2}$ '-0"	55 lbs./sq.ft.	147 lbs./sq.ft.	2.6
1-7/8-29'0"	71 lbs./sq.ft.	157 lbs./sq.ft.	2.1

A complete report is on file with and is part of the record.

Recommendation

On the basis of the test and the data filed by the applicant, The Committee on Test recommends the approval of the material known as Duffcon Longspan Precast Concrete Super Slabs as manufactured by the Duffy Concrete Prod-

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ucts, Inc., New York under C26-191.0 when designed in accordance with the accepted theory of flexure as provided in C26-468.0 for use in New York City, as an incombustible floor or roof slab with loads and spans as follows:

Rein- forc- ing	20	21	22	23	24	25	26	27	28	29	30	31	32
6	47	40											
7	73	64	56	48	42								
8	105	92	82	72	65	57	51	45	40				
9	124	117	109	98	87	78	70	63	57	51	46	41	
7/7		124	120	108	96	87	78	70	63	57	52	47	41
7/8			124	116	105	95	86	70	71	64	58	53	
8/8				124	118	112	102	92	84	77	70	64	
9/9							124	118	111	102	94	86	

under the provisions of C26-619.0 and further that all plans filed with the Department of Buildings showing the proposed use of the slabs shall bear the following wording "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 271-58-SM."

It is further recommended that the slabs have a bearing of at least 0'-3" at each end of the slab.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

436-58-SA

APPLICANT—Tokheim Corporation, owner.

SUBJECT—Application July 18th, 1958—Tokheim, Models 448 and 452 Pumps, with or without suffixes "P", "PEH", "RC", "TWIN", "1" and "2", approval of.

APPEARANCES—

For Applicant—A. P. Lapsansky and John F. Dixon.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 436-58-SA.

Subject: Tokheim Models 448 and 452 Gasoline Pumps with or without suffixes P, PEH, RC, Twin, 1 and 2.

Tokheim Corporation, New York, N. Y., filed July 18, 1958 an application with the Board of Standards and Appeals for approval of the Tokheim Models 448 and 452 Gasoline Pumps with or without suffixes P, PEH, RC, Twin, 1 and 2 for use in New York City under the provisions of C26-191.0 Administrative Code.

Purpose

Motor fuel dispensing equipment.

Description

The Model 448 is a basic model, including a motor-driven, power-operated pumping unit, strainer, measuring device, computing clock, cable-reel type of hose retrieving mechanism, visible discharge indicator (optional), no lighting, but other components necessary for normal functions.

The model 452 is the same as the Model 448, except that it is provided with a fluorescent lighting system, and is equipped with upper housings, and is four inches (4") taller.

Each of the above-mentioned models are equipped with a $\frac{1}{3}$ H.P., 115/230 Volt, Single Phase, 60 Cycle A.C. Motors, Labeled for use in Class 1, Group D locations, and each model has a delivery capacity of approximately 15 gallons per minute.

The Suffix "P" indicates that a glass advertising panel is supplied over the dial, in the upper housing.

The Suffix "PEH" indicates that the housings are porcelain enameled, instead of painted in baked enamel finish.

The Suffix "RC" indicates that the device is a Dispensing Pedestal only, arranged for remote control operation connected to a remote control pump. In these Dispensing Pedestals, the pumping unit, motor, and air separator are omitted, and a special shutoff valve in the product line, (in the visible discharge indicator body casting), a pilot valve, and a strainer screen are added. The Pilot Valve operating linkage is connected to the motor control linkage so that the pilot valve is closed when the hose nozzle is hung on its normal support. A special pressure-relief valve is supplied on each device. This pressure-relief valve is assembled in an adapter fitting threaded in the strainer body, and a substantial tag is wired to a $\frac{3}{8}$ " union attached to the adapter fitting, indicating that it must be piped to, and connected with, the supply tank.

The Suffix "TWIN" indicates that the device is provided with two hose outlets, and in these assemblies one or two motors, pumping units and air separators are provided in the self-contained models; one or two strainers in the remote control dispensing pedestal models; two measuring units, computing clocks, retrieving mechanisms, and valves in the remote control models, and in the self-contained models with the Suffix "1". This Suffix "TWIN" is always used in combination with the Suffix "1" or "2".

The Suffix "1" indicates a "TWIN" device provided with one supply inlet; two (2) shut off valves (one in each discharge line) and two (2) pilot valves.

The Suffix "2" indicates a "TWIN" device provided with two (2) supply inlets. Shutoff valves and pilot valves are provided for each discharge line in remote control dispensing pedestals only with this Suffix.

The Suffix "WNC" indicates that instead of the usual Computing-type clock, a wheel-type Non-Computing counter, registering only Gallons Delivered, is supplied.

The Model 448-1-TWIN and the Model 452-1-TWIN Pumps are used for dispensing one (1) product only, and are equipped with one (1) supply inlet, one (1) pumping unit and air eliminator, one (1) $\frac{1}{2}$ H.P., 115/230 Volt, Single Phase, 60 Cycle A.C. Continuous Duty Type Electric Motor; two (2) measuring units; computing clocks; cable retrieving mechanisms; control valves; pilot valves and hose nozzles. Delivery capacity when dispensing through one (1) hose outlet only, approximately 15 gallons per minute.

The Models 448-2-TWIN and 452-2-TWIN Pumps are used for dispensing two (2) products, and consist of two (2) complete pumping and dispensing systems, including two (2) $\frac{1}{3}$ H.P., 115/230 Volt, Single Phase, 60 Cycle A.C. Electric Motors. Each half of these TWIN Pumps has a delivery capacity of approximately 15 gallons per minute.

Inspection and Test

All details of construction were examined by Ass't. Engr. G. F. Sklenarik, Committee on Test.

This equipment was tested and approved by the Underwriters' Laboratories under file MH 1895.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Tokheim Models 448 and 452 Gasoline Pumps with or without suffixes P, PEH, RL, Twin, 1 and 2 for use in New York City under the provisions of Sections C26-191.0 and C-19-69.c Administrative Codes provided all electrical work will conform to the Electrical Code of the City of New York and further that each dispenser

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shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 436-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

437-58-SA

APPLICANT—Tokheim Corporation, owner.
SUBJECT—Application July 18th, 1958—Tokheim Emergency Shut-Off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4 and 1099-1, 1099-2, 1099-3, 1099-4, approval of.

APPEARANCES—

For Applicant: A. P. Lapsansky and John Dixon.

ACTION OF BOARD—Appliance approved for voluntary use in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 437-58-SA

Subject: Tokheim Emergency Shut-Off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4, 1099-1, 1099-2, 1099-3 and 1099-4.

Tokheim Corporation, New York, N. Y., filed July 18, 1958 an application with the Board of Standards and Appeals for approval of the Tokheim Emergency Shut-Off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4, 1099-1, 1099-2, 1099-3 and 1099-4, for use in New York City under the provisions of C26-191.0 Administrative Building Code.

Purpose

Automatic shut off valves to be installed in the discharge lines of motor fuel dispensing systems.

Description

Tokheim Emergency Valve, Model 1098 is a spring loaded valve is designed for installation in the discharge lines of remote pumping systems for dispensing gasoline and is installed at the base of the dispenser.

The valve is normally held open by a pivoted stem or pendant and a shear or break off section is located at the upper end of the body near the valve outlet.

The valve mechanism is designed so that a sharp blow or shock will cause the valve to close. If the fuel dispenser should be knocked over by a motor vehicle the valve is designed to break at the shear section and, by closing, prevent a further discharge of motor fuel at that dispenser.

The Model 1099 Valve is similar in operation but in addition a spring actuated striker arm held in position by a shaft, lever and a fusible link is also furnished. The link has a melting point of 160°F and should a fire occur in the vicinity of the valve, the fusion of the solder in the link will cause the valve to close.

The valves are made in the following sizes:

1098—1	1½" with threaded end
1098—2	2" " " "
1098—3	1½" with Dresser end
1098—4	2" " " "
1099—1	1½" with fusible link & threaded end
1099—2	2" " " " " "
1099—3	1½" with fusible link & Dresser end
1900—4	2" " " " " "

Inspection and Test

All details of construction were examined by Ass't. Engr. G. F. Sklenarik, Committee on Test.

These valves were tested and are listed by the Underwriters' Laboratories under file MH 6663.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the Tokheim Emergency Shut Off Valves, Models 1098-1, 1098-2, 1098-3, 1098-4, 1099-1, 1099-2, 1099-3, and 1099-4 for voluntary use in New York City when installed in accordance with this report and the manufacturer's instructions for the installation of such valves and provided that each valve or carton in which it is marketed shall bear a label or marking reading, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 437-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance for voluntary use in accordance with the above report.

575-58-SA

APPLICANT—Cook Machinery Co., Inc., owner.
SUBJECT—Application October 6, 1958—Aldryer or Tumblette Gas-fired Clothes Dryer, Models 37M30 and 37S30, approval of.

APPEARANCES—

For Applicant: Fred A. Weber.

ACTION OF BOARD—Appliance approved for voluntary use in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 575-58-SA.

Subject: Aldryer or Tumblette Gas-fired Clothes Dryer, Models 37M30 and 37S30.

Cook Machinery Company, Inc., Dallas, Texas, filed October 6, 1958 an application with the Board of Standards and Appeals for approval of their Aldryer or Tumblette Gas-fired Clothes Dryer, Models 37M30 and 37S30 under the provisions of article 12, Administrative Building Code.

Purpose

Appliances for drying washed fabrics by the application of heat.

Description

These dryers are commercial type appliances sized for a 50 lbs. dry weight capacity.

They consist of a gas burner installed in a burner compartment, a tumbler basket installed below the burner compartment, a drive motor, circulating fan, a lint trap and a lint clean out compartment on the bottom. The components are assembled within an insulated sheet steel casing finished in a baked enamel. A circular window door opening to the tumbler compartment is provided in the front panel of the casing.

The tumbler basket 37 inches by 30 inches deep revolves at approximately 38 RPM when in operation and the circulating fan draws 1200 CFM of heated air through the material being dried.

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Gas burners are provided with safety pilot ignition with 100% gas shut-off in case of flame failure, a nonclogging orifice.

Other controls are a door interlock switch which shuts off the motor and the gas when the door is opened, a safety thermostat to shut-off the gas if airflow is interrupted and a control thermostat for the operating temperature (120° to 220°F).

Each dryer has an 8 inch exhaust opening in the back panel of the casing which is to be connected to a flue leading out-doors.

The 37S30 model is equipped with a 60 minute timer to be set by the user.

The 37M30 model is equipped with a coil meter and operated for a predetermined period of time according to the coins inserted.

Inspection and Test

All details of construction were examined by Asst. Engr. G. F. Sklenarik, Committee on Test.

A typical 37M30 was inspected at 82-73 Broadway, Elmhurst, New York. The unit functioned as designed.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends that the Aldryer or Tumblette Gas-fired Clothes Dryer, Models 37M30 and 37S30 be approved for voluntary use in New York City when installed in accordance with this report and the requirements of Article 12 Administrative Building Code, that all ports and orifices be maintained for the type of gas used and that each appliance shall bear a label, permanently affixed reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 575-58-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance for voluntary use in accordance with the above report.

829-48-SA

APPLICANT—The Nu-Way Corporation, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution as to additional trade name—re Models A-2, A-4, XL-2, XL-6, XL-12, XL-20, XS-2, XS-4, XLD, XL-1500, XL-2000, XL-2000NF, XLP, XLOP, C, E, F, J, K, K-NF, K-DF, L, IXL, H, H-NF and CO, NU-WAY Burners be permitted to be marketed under the following trade names: Afco, Bard Leeson, Meyer, Power Oil, Rudy, Thatcher, Waterbury, Fitzgibbons, Mueller Climatrol, Bryan Steam Round Oak, Perfectaive, General Electric, Shepherd, Frontier, Ingersoll, Janitrol, Milwaukee Supreme, Oil Electric, Queen City, Permaglas, Spencer, Heater, Weil-McLain, Sonner, Sun, Patten, Synchronatic, Meridian, Repco, Thermo Oil-O-Matic, Chrysler Airtemp, Certified Oil, Hall-Neal Victor, J & C, Fire Power-O-Matic, McDonald and Silver Seal Oil Burners; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for amendment as to additional trade name.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley.... 4
Negative: 0
Absent: Commissioner Sleeper 1

559-50-SM—Vol. I

APPLICANT—Fenestra Inc., owner.

SUBJECT—Application for consideration—reopening for test and report as to joining adjacent panels—re Fenestra

Building Panels, Type "D" (improved with 3 hour fire-resistive rating); previously approved.

APPEARANCES—

For Applicant: Robert J. Knopf.

ACTION OF BOARD—Application reopened for test and report as to joining adjacent panels.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert, Commissioner Foley.... 4
Negative: 0
Absent: Commissioner Sleeper 1

358-52-SA

APPLICANT—Adams Petroleum Corporation, owner-manufacturer.

SUBJECT—Application for consideration—restoration to docket—re National Airoil Rotary Oil Burners, Models D (direct-driven) and B (belt-driven); previously dismissed.

APPEARANCES—

For Applicant: Lawrence C. Shaune.

ACTION OF BOARD—Application reopened for restoration to the docket for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

188-53-SM

APPLICANT—Latta Brook Corporation, owner; General Builders Supply Corp., Agent.

SUBJECT—Application for consideration—reopening for amendment as to additional trade name—re Latta Bond Ready Mortar Mix (for use on block, brick, tile, stone, stucco, scratch or brown coat); previously approved.

APPEARANCES—

For Applicant: John Brodie.

ACTION OF BOARD—Application reopened for report as to additional trade name.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4
Negative: 0
Absent: Commissioner Sleeper 1

369-57-SM

APPLICANT—Gateway Engineering Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution for use with concrete aggregates approved by the Board—re Beehive Anchoring System and Accessories, Bee Claws, Bee Clips, Bee-Nut with Spring, Bee-Nut (plain) and Bee-Nut with Loop; previously approved.

APPEARANCES—

For Applicant: Charles M. Duncan and R. K. Schwartz.

ACTION OF BOARD—Application reopened for test and report as to amendment for use with concrete aggregates as approved by the Board.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

408-49-SM

APPLICANT—Firedoor Corp. of America & Spartan Steel Products, owners.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to change of ownership—re World 3 Hour Hollow Metal Fire Door (panel and flush type); previously approved.

APPEARANCES—

For Applicant: Janet Cooperman.

ACTION OF BOARD—Laid over to November 25, 1958, at 2 P. M.; applicant to be notified; no appearance.

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121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1951—1-B Master Anti-Siphonic Ballcock; previously dismissed.

APPEARANCES—

For Applicant: Charles L. Kratter.

ACTION OF BOARD—Taken off calendar; referred to examiner for further tests.

881-53-SM

APPLICANT—Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., owner.

SUBJECT—Application December 10, 1953—Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to November 25, 1958, at 2 P. M.; applicant to be notified; no appearance.

134-55-SA

APPLICANT—Burden Industrial Appliance Corp., Agent for Burnham Corporation, owner.

SUBJECT—Application February 18, 1955—Burnham Explosion-proof Electric Radiator, Model EPW 20, EPW 25, EPW 30; EPR 20, EPR 25, EPR 30, EP 44-20, EP 44-25 and EP-44-30, approval of.

APPEARANCES—

For Applicant: Elmer H. French.

ACTION OF BOARD—Laid over as to approval of relief valve; referred to examiner for further tests.

707-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.

SUBJECT—Application September 6, 1957—American Standard Air Cooled Evaporator and Condensing Units, Models RC-H-RC-V, RC-B Evaporator Units and AC-A Condensing Units, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Taken off calendar and referred to examiner for further test.

101-58-SA

APPLICANT—The Alstrom Corporation, owner.

SUBJECT—Application March 5, 1958—Alstrom Filmwall Oil Preheater, Model FW, approval of.

APPEARANCES—

For Applicant: Joan J. Cesa.

ACTION OF BOARD—Taken off calendar; referred to examiner.

445-58-SA

APPLICANT—Peter S. Gluck, for Earl Scheib Paint and Supply Co., owner; William S. Acuff, Agent.

SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

APPEARANCES—

For Applicant: Peter S. Gluck.

ACTION OF BOARD—Taken off calendar; referred to examiner for further consideration.

896-39-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for 163 Remsen Street Corporation, owner, The Hamilton Rest, lessee.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from decision of the Borough Superintendent re: change in use of second floor re: live load.

PREMISES AFFECTED—163 Remsen Street, north side, 237 feet east of Clinton Street, second floor, Block 250, Lot 13, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Ralph Masters.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent issued May 12, 1958, on Alt. Applic. 3342/57, reads:

“M.D.L. & Constr.

1. The Change in use of the 2nd story is contrary to resolution of B.S.&A. under Cal. #89-39-A.

2. Show live load good for 100 pounds as per Sec. 7.3.2.2.5 of Code.”

and

WHEREAS, the applicant states that the building is 5 stories, 51 feet in height, 22 feet by 95 feet in area at 1st floor, 22 feet by 56 feet in area at typical floor, class 3 construction, erected 1900, located on a lot 22 feet front by 100 feet in depth, in restricted retail use, B area, class 2 height district, and used and occupied since 1955 as follows: Cellar—ordinary; 1st floor—restaurant, 74 persons; 2nd floor—office and kitchen, 12 persons; 3rd floor to 5th floor, 2 apartments each; that it is proposed to be used and occupied without change, except 2nd floor will be used as a private party room in conjunction with the 1st floor restaurant use and as a kitchen, with an occupancy 60 persons; that the building is provided with one 3 foot 8 inch wide interior wood stairs, enclosed in fire retarded partitions, equipped with wood self-closing doors and leading direct to street, and provided with a ladder and scuttle to roof, with one fire escape on the rear; and

WHEREAS, the applicant states that the building was formerly used pursuant to a resolution adopted July 18, 1939 by the Board as cellar—storage and boiler room; 1st floor—insurance office; 2nd floor—real estate office; 3rd floor—offices; 4th floor—superintendent's apartment; 5th floor—1 apartment; that it was altered and occupied since 1955 under resolution adopted by the Board and Certificate of Occupancy #144851 as now existing; and

WHEREAS, the applicant states that it is now proposed to change the occupancy of the 2nd floor from office and kitchen to private party room and kitchen; and

WHEREAS, the applicant states that under Calendar 896-39-A, the Board on July 18, 1939, granted the appeal on condition that the existing stairway and hall be protected with a Multiple Dwelling type sprinkler system; that the stairway providing primary means of egress shall lead direct to the street and refurnished with a scuttle to the roof within the stair enclosure equipped with a double hung steel ladder leading thereto; that on December 14, 1943 the resolution was amended to permit the present owner to occupy the 1st floor and rear portion of the 2nd floor as a restaurant with an accessory kitchen; that it is now proposed that the entire 1st floor and 2nd floor be used by the owner for restaurant use; that there is a fire escape balcony at the 5th floor with a goose neck ladder to roof and provided for the drop ladder leading to the roof of the 3rd floor extension and a balcony on the 3rd floor with a goose neck ladder leading to the 3rd floor roof, with egress therefrom by ladder to the roof to the 1st floor extension; that in addition there is a ladder on the 3rd story roof leading to the roof of the adjoining building to the west; that it is now proposed to replace the wood stairs from 2nd to 1st floor with a 3 foot 8 inch wide iron stair and to maintain the exit conditions as required by the Board in its previous resolution; and

WHEREAS, the applicant contends that the 2nd floor will be used in conjunction with the 1st floor and will allow for easy unobstructed access to all parts of the floor; that the 2nd floor private party use will be for small luncheon groups rarely exceeding 15 persons; that the proposed demolition of Brooklyn's largest downtown restaurants has created an additional need for space to accommodate jury groups and other small groups at luncheon; and

WHEREAS, the premises was inspected by a committee of the Board.

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Resolved, that the decision of the Borough Superintendent, dated May 12, 1958, acting on Alt. Applic. 3342/57, Obj. 1 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in view of the use of the second story as indicated on revised plans marked, "Received May 20, 1958," 5 sheets, "November 10, 1958," 2 sheets, the second means of exit may be accepted as a ladder from the adjoining roof to the grade premises of others adjoining on the west in accordance with consent for such ladder to adjoining premises for exit purposes as stated in the letter of the owner dated November 14, 1958; that as to Objection No. 2, the live load of the second floor shall be not less than 60 pounds and the number of persons shall not exceed 60 persons on the second floor; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that the wooden stairs from the first and second floors shall be replaced by steel stairs as proposed and shown on such plans.

818-51-A—Vol. II

APPLICANT—Sidney S. Hodes, for Edith H. Force, owner; William A. Force Company, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—216-232 Nichols Avenue, west side, 100 feet north of Fulton Street, Block 4134, Lot 43, Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney S. Hodes.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on October 15, 1952, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 15, 1952, under Vol. II by eliminating reference therein to "approved interior fire alarm system" and substitute therefor: "water-flow alarm system with gongs on each floor of old section of the building and that such gongs shall be audible throughout each floor of the combined buildings"; and that in all other respects the above resolution shall be complied with."

65-52-A

APPLICANT—George J. Meltzer, for Joseph Lapardo, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which expired June 24, 1954—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—108-62 48th Avenue, south side, 100 feet west of 111th Street, Block 2004, Lot 35, Corona, Borough of Queens.

APPEARANCES—

For Applicant: George J. Meltzer.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 24, 1952, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 24, 1952, only so far as it has reference to the term of the variance, so that as *amended* this portion shall read:

"that the term of the variance shall be for one year from the date of this *amended* resolution and during this one year the owner shall obtain a certificate of occupancy and exhibit same to the Board with an application for a further extension of the term." (Alt. 2868/51)

572-57-A

APPLICANT—Fresh Meadow Cleaners Inc., lessee, New York Life Insurance Co., owner.

SUBJECT—Application April 3, 1957—Appeal from a decision of the Borough Superintendent, request to review Borough Superintendent's decision on wet wash laundry use.

PREMISES AFFECTED—61-48 188th Street, northwest corner of 64th Avenue, Block 7075, Lot 1, Fresh Meadows, Borough of Queens.

APPEARANCES—

For Applicant: Allen H. Weiss.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated March 8, 1957 on B.N. Applic. No. 1116/56 reads:

"1. Washing machine for washing of shirts, pressing and finishing constitutes a wet wash laundry and is contrary to Art. II, Sec. 4A of Zoning Res. within a retail zone."

and

WHEREAS, the applicant states that the store in question is one story in height, 20 feet front by 75 feet in depth, of class I construction, erected in 1949, located in a retail use B area, class 1 height district; and used and occupied as follows: cellar—storage; 1st floor—dry cleaning and shirt laundry, 7 persons; that no change or use in occupancy is proposed; and

WHEREAS, C.O. No. Q58649 was issued October 6, 1949 against N.B. Applic. 2032/48 affecting the entire building #304 located on Lot 1, Block 7075 and permitting its use and occupancy as follows: cellar—storage; 1st floor—stores, 90 persons; and

WHEREAS, the lessee was subject to prosecution in Municipal Term Magistrate's Court on complaint of the Department of Licenses for maintaining and operating a laundry without a license therefor; and that the matter was adjourned to April 4, 1957; and

WHEREAS, the applicant states that this is an appeal to review a decision of the Borough Superintendent which disapproves plans for the approval of use of shirt laundering machine in the applicant's premises on the ground that washing machine for washing shirts, pressing and finishing constitutes a wet wash laundry, and is contrary to Art. II, Sec. 4A of the Zoning Resolution; and

WHEREAS, the applicant states that it operates a retail dry cleaning store on the premises, which are located in a retail use district; and that in connection with its operations it has installed shirt laundry equipment including one 25 lb. washing machine; that the applicant will launder and finish dry shirts delivered to it by its retail customers and for no others; that this service will be necessary to meet the demands of the applicant's retail customers and to meet competition of large commercial laundries who in addition to

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their other services have now entered into the dry cleaning business; that the shirt finishing equipment to be used has been purchased at a cost of approximately \$3,000, and includes a master sleever, and master hand folder, a collar-cuff yolk press, a body press and a collar former; that this equipment occupies an area of 7 feet by 7 feet and requires one employee; that the equipment was purchased from the Forst Equipment Corp., Anderson, Indiana; and

WHEREAS, the applicant contends that the equipment operates without the noxious and offensive odors associated with a wet wash laundry; and

WHEREAS, the applicant states that prior to the commencement of its dry cleaning operations on these premises it submitted plans to the Borough Superintendent under B.N. Applic. 1116/56 and these plans were approved November 10th, 1955, and again on January 27, 1956; that on or about January 1956, it filed an application with the Dept. of Licenses for a license to operate a class A laundry; that the Dept. of Licenses referred the matter to the Dept. of Buildings to pass on the proposed use of the premises and on September 21, 1956, the Dept. of Buildings advised the Dept. of Licenses that the proposed use was contrary to Zoning Resolution, despite the fact that an inspector of the Dept. of Bldgs. recommended the issuance of a license; that on August 24th, 1956 the application was denied and subsequently the Dept. of Licenses caused the summons to be served returnable in Magistrate's Court alleging the unlawful maintenance and operation of a laundry without a license; that on February 7th, 1957 the complaint was dismissed upon failure of the Dept. of Licenses to prove that laundry was in progress at the time the complaint was made; that thereafter on February 11th, 1957 another complaint alleging the same violation was issued and upon consent of the Dept. of Licenses the matter was adjourned in Magistrate's Court to April 4th, 1957 to permit filing of this appeal with the Board; that subsequently additional plans were filed with the Dept. of Buildings and rejected March 18th, 1957, by the decision herein appealed; and

WHEREAS, the applicant contends that the operation proposed does not constitute a wet wash laundry within the purview of Art. II, Sec. 4 of the Zoning Resolution; that the proposed use is incidental to the operation of a dry cleaning establishment; that Rule 3.1.1 of the rules adopted by the Board relating to dry cleaning establishments contemplates lawful non-dry cleaning operations of a multiple use type of service establishment where in addition to dry cleaning there may be a launderette, shirt laundry, shoe repairing and fur storage; and

WHEREAS, the applicant further contends that it is clear that the proposed operation of the shirt laundry equipment as accessory to the dry cleaning establishment is lawful; that the proposed operation does not constitute a steam or wet wash laundry, as such term is used in the common parlance of the laundry industry and as defined by the court; that the refusal of the Borough Superintendent to approve the application as submitted is erroneous; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent dated March 8, 1957, acting on B.N. App. 1116/56, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* in view of the approval by the Board of the shirt pressing machine this day under Cal. No. 571-57-SA and that any washing machine used with such equipment or on the premises shall be of a type approved by the Board for not over 25 pound load.

222-58-A

APPLICANT—Joseph Levy, Jr., for Joseph Aronowitz and Louis Heit, owners.

SUBJECT—Application April 11, 1958—Appeal from a decision of the Borough Superintendent, re frame structure, commercial use.

PREMISES AFFECTED—1063 Greene Avenue, west side, 250 feet, 6 inches, each of Broadway, Block 3283, Lot 49, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr., and Joseph Aronowitz.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 10, 1958, on Alt. Applic. 866/58, reads:

"1. Proposed store (retail clothing) in a frame structure is contrary to 4.2.1 of Administrative Building Code."

and

WHEREAS, the applicant states that the premises consist of a lot 19 feet by 100 feet, located in a business use, C area, class 1 height district, upon which there exists a 3 story, 37 feet high, class 4 construction, 19 feet by 55 feet 3 inches in area, erected under N.B. Applic 1446/1891, used and occupied; cellar—ordinary, no persons; 1st floor—retail clothing store, 5 persons; 2nd and 3rd floors—one family each floor, for which no certificate of occupancy exists; that the proposed use and occupancy; cellar—boiler room and storage in conjunction with the store above, no persons; 1st, 2nd and 3rd floors no change; and

WHEREAS, the applicant proposes to provide new steel cellar stairs, enclosed in 4 inch block walls and fireproof self-closing door, leading to public hall on the 1st floor; that a store room in conjunction with the store above will be built of 8 inch block and fireproof self-closing door; that the present store door be moved to the outer vestibule; that the present 1st floor hall partitions be covered with sheet rock Fire Code No. 60; that all openings to public hall have fireproof self-closing doors; and

WHEREAS, the applicant contends that the owner believed it was proper to occupy the premises for business, because of the zoning regulations; that the building is kept in good condition; that based on the above statements appeal is made to the Board; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated April 10, 1958, acting on Alt. Applic. 866/58 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the use as proposed of the first floor of the structure as indicated on plans filed with this appeal marked, "Received April 11, 1958," 1 sheet; *on condition* that there shall be ordinary storage in the cellar; that the upper stories of the building shall comply with the requirements therefor; that the building shall not be increased in height or area; and that in all other respects the building and occupancy shall comply with the requirements of the Building Code.

425-53-A—Vol. II

APPLICANT—John F. Fitzsimons, for Anthony E. & Mary C. Schneider, owners.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—103-45 Lefferts Boulevard, east side, 132.59 feet north of Liberty Avenue, Block 9557, Lot 48, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

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746-57-A

APPLICANT—Samuel Rosenblum, for Alma G. Roos, owner.

SUBJECT—Application for consideration—restoration to docket—re Appeal from a decision of the Borough Superintendent—re egress; previously withdrawn.

PREMISES AFFECTED—147-149 West 22nd Street, north side, 249 feet, 6 inches east of 7th Avenue, Block 798, Lot 17, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Appeal reopened and restored to the docket, having been previously withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

17-58-A

APPLICANT—Otto J. and Warren A. Sambach, for Carey Terminal Corp., owner.

SUBJECT—Application January 17, 1958—filed pursuant to section 36, General City Law re construction of building on plot not facing legally mapped street.

PREMISES AFFECTED—38-36 Review Avenue, south side, 1136.31 feet west of Laurel Hill Boulevard (interior lot); Block 312, Lot 1367, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Warren A. Sambach.

ACTION OF BOARD—Appeal withdrawn at request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

987-55-A

APPLICANT—Dorothy Clover, neighboring property owner.

OWNER OF PREMISES—Hanco Realty and Finance Corp.

SUBJECT—Application December 14, 1955—Appeal from a decision of the Borough Superintendent—re revocation of Certificate of Occupancy.

PREMISES AFFECTED—461 Forest Avenue, northwest corner of Hoyt Avenue, Block 136, Lot 49, Randall Manor, Borough of Richmond.

APPEARANCES—

For Applicant: None.

For Opposition: Albert Melniker, Daniel Cohen and Herbert G. Schapiro.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

552-37-A—Vol. IV

APPLICANT—Wechsler and Schimenti, for Russell B. Booth, owner.

SUBJECT—Application reopened May 28, 1957 as Vol. IV—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Peter F. Licari and Mrs. Booth.

ACTION OF BOARD—Laid over to November 25, 1958, at 2 P. M., for inspection and decision.

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

APPEARANCES—

FOR Applicant: J. M. Berlinger.

ACTION OF BOARD—Laid over to December 9, 1958, at 2 P. M. for inspection by Committee of the Board and decision.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Laid over to December 9, 1958, at 2 P. M. for inspection and decision; hearing closed.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Carr.

ACTION OF BOARD—Laid over to December 9, 1958, at 2 P. M. for inspection and decision; hearing closed.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.

SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.

PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: George P. Ames, George Nizich and Joseph P. Heenney.

For Opposition: Bernard A. Helfat, Mrs. F. E. Kendall, Mr. F. R. Teenes, Mrs. E. Teenes, William Araczemski, Dureen La Barbera and John La Barbera.

ACTION OF BOARD—Laid over to December 2, 1958, at 2 P. M. for inspection by a committee of the Board; applicant may file additional brief.

303-26-BZ—Vol. IV

APPLICANT—Reginald S. Hardy, for Hayson Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, to permit in a residence and business use district, the lower or ground floor of the property to be used for the storage of paper cartons and the upper floor to be used for the manufacture, storage and distribution of infants apparel, quilts, blankets, pillows and office incidental thereto.

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PREMISES AFFECTED—405-423 44th Street, northside, 38 feet east of 4th Avenue, Block 729, Lot 72, Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. IV, on April 15, 1958, on certain conditions; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 15, 1958 by adding thereto:

“that during the time that the first floor remains vacant the requirements for altering the entrances thereto may be postponed but shall be completed promptly upon such first floor being rented; and that in all other respects the resolution above cited shall be complied with.” (Alt. 467/55)

512-29-BZ—Vol. IV

APPLICANT—Burke, Green and Groh, for Merry Twins, Inc., owner.

SUBJECT—Application for consideration—reopening for approval of working drawings—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, to permit in a business and residence use district the extension in area of the present gasoline service station and the installation of additional gasoline tanks and pumps and to provide an extension to the existing building for sales and display, the proposed work to be entirely within the business use district.

PREMISES AFFECTED—61-19 Fresh Meadow Lane, southeast corner of 64th Avenue, Block 6902, Lots 18, 26 and 124, (Lot 18 assigned); Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

ACTION OF BOARD—Application reopened and plans approved.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was amended as Vol. IV, on July 29, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and submitted plans for approval by the Board, as being in substantial compliance with the requirements of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *approve* plans marked “Received October 21, 1958” as in substantial accord with the requirements of the resolution adopted by the Board on July 29, 1958. (Alt. 2114/57)

549-30-BZ—Vol. II

APPLICANT—John F. Fitzsimons, for Robert N. and Catherine R. Rose, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired November 13, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a local retail and residence use district, the extension of the parking of em-

ployees and patrons cars from the present parking in the local retail use district which is accessory to a dining car on the local retail portion of the plot.

PREMISES AFFECTED—218-59 Hempstead Avenue and 101-12 Springfield Boulevard, northwest corner, Block 10766, Lot 38, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on May 13, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 13, 1958 only as to the time within which to obtain permits and complete the work so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution.” (Alt. App. 2048/57)

1000-40-BZ—Vol. IV

APPLICANT—Ross and Atkin, for Eckert Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough of Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the conversion of two apartments in basement stores.

PREMISES AFFECTED—2337 Grand Concourse and 164 Field Place, southwest corner, Block 3164, Lot 19, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry Atkin.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. IV, on January 18, 1949, on certain conditions; and

WHEREAS, the resolution was amended on October 15, 1958; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 18, 1949, as thereafter *amended* by resolution adopted on October 15, 1958, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of 10 years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” Alt. App. 722/58)

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145-47-BZ—Vol. III

APPLICANT—Abraham Grossman, for Zampieri Brothers, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment as to term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, to permit in a residence use district, the extension of the present bakery use to an adjoining building as a retail and wholesale bakery.

PREMISES AFFECTED—17-19 Cornelia Street, north side, 191 feet, 1 inch west of West 4th Street, Block 590, Lots 39 and 40, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman and Ahrno Zampieri.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. III, on March 25, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 25, 1958, under Vol. III only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of fifteen years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt App. 1665/56)

66-48-BZ

APPLICANT—Paul Friedman for Hanco Holding Corp., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7e and 7h of the Zoning Resolution, permitting in a residence use district, the change of occupancy from automobile service station to motor vehicles repair shop, and permitting parking of motor vehicles (no fee to be charged) on the unbuilt upon portion of plot for patrons' and employees' cars.

PREMISES AFFECTED—1814-1828 54th Street, south side, 100 feet east of 18th Avenue, Block 5487, Lots 11 and 13, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 27, 1948, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on December 7, 1948; and

WHEREAS, the resolution was amended on December 7, 1948 and May 22, 1951; and

WHEREAS, the term of variance was extended on November 10, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 27, 1948, as thereafter *amended* by corrected resolution through May 22, 1951, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision h for a term of five years from the date of this *amended* resolution, to permit the parking of motor vehicles; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 4759/47)

128-55-BZ

APPLICANT—Santagata and Santagata for New York Life Insurance Co., owner; Michael Saglio, lessee.

SUBJECT—Application for consideration—reopening for extension of term of variance, which has expired October 11, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, to permit in a residence use district, the parking and storage of motor vehicles for a term of three years.

PREMISES AFFECTED—218-222 East 65th Street, south side, 280 feet east of 3rd Avenue, Block 1419, Lots 35-37 inclusive, Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Santagata.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 11, 1955, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 11, 1955, only so far as it refers to the term of the variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision h for a term of five years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution.” (Alt. App. 133/55)

988-55-BZ

APPLICANT—Randolph M. Smith, for Ernest Le Melle, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete, which has expired June 26, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, to permit in a manufacturing and local retail use district, the erection and maintenance of a gasoline service station, sales and service, car washing, minor auto repairs (with hand tools only) and lubritorium.

PREMISES AFFECTED—122-02 Farmers Boulevard, west side, 266.38 feet north of 180th Street, Block 12458, Lot 115, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Randolph M. Smith.

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ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 26, 1956, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 26, 1956 by adding thereto:

“that in the event the owner desires to make certain minor changes as indicated on revised plans marked ‘Received October 30, 1958’, one sheet, to include one island with four pumps instead of two islands with two pumps each, and to change the location as shown on such plans, and (2) to rearrange the curb cuts as shown on such plans and (3) to extend the time to complete so that as *amended* this portion of the resolution shall read:

“that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution, in view of statement by applicant that work is substantially completed.” (NB App. 4415-55)

188-56-BZ

APPLICANT—Glauber Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete and certificate of occupancy, which has expired December 18, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a and 7c of the Zoning Resolution, to permit in a residence use district the change in use of a present building from garage, poultry market and storage to the storage of plumbing supplies.

PREMISES AFFECTED—531-533 East 79th Street, north side, 148 feet west of East End Avenue, Block 1576, Lot 19, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 18, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain a certificate of occupancy.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 18, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that work has been completed but additional time is required to obtain a certificate of occupancy, that all permits required, including a certificate of occupancy, shall be obtained within six months from the date of this *amended* resolution.” (Alt. App. 7/56)

263-56-BZ

APPLICANT—Reginald S. Hardy, for S. Jules Lakin and Malcolm L. Bennett, new owners; A. Paul Tochi, former owner.

SUBJECT—Application for consideration—reopening for

extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7h of the Zoning Resolution, permitting in a business use district, the erection of a gasoline service station, lubritorium, car washing, auto sales and parking of patrons' cars.

PREMISES AFFECTED—3490-3498 Boston Road and 3375-3381 Eastchester Road, southwest corner, Block 4743, Lot 5, Borough of The Bronx.

APPEARANCES—

For Applicant: Reginald S. Hardy.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 18, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on November 13, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 18, 1956, as thereafter *amended* by resolution dated November 13, 1957, only as to the time within which to obtain permits and complete the work so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that he has been negotiating with tenants, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. 6/56)

362-56-BZ

APPLICANT—James E. Vassalotti, for Rosary Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete, which has expired January 29, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage room, parking and storage of motor vehicles.

PREMISES AFFECTED—2831-2843 West 8th Street and 638-648 Sheepshead Bay Road, southeast corner, Block 7279, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 29, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 29, 1957 by adding thereto:

“that in the event the owner desires to make certain changes in the following respect: (1) to add two additional 550 gallon approved storage tanks, making a total of twelve such tanks; and (2) to install one additional dispensing pump on the West 8th street island

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making a total of five pumps on this island and one additional pump on the Sheepshead Bay Road island making a total of three pumps on such island; and (3) to install two additional light poles; and (4) to erect an additional sign at the intersection of Sheepshead Bay Road; and (5) to omit the overhead door at the north end of the building, such changes may be permitted as shown on revised plans marked "Received October 29, 1958", 2 sheets, as passed by the Borough Superintendent under Alt App 1054/56 as denied November 3, 1958; that in all other respects the resolution above cited shall be complied with; and the time to complete shall be extended so that as *amended* this portion of the resolution shall read: that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

352-57-BZ

APPLICANT—Patrick D. Concagh, for 27 East 37th Street Corporation, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired October 8, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in occupancy of the basement and first floor of an existing four-story dwelling to business use.

PREMISES AFFECTED—27 East 37th Street, north side, 200 feet east of Madison Avenue, Block 867, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: Patrick D. Concagh.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 8, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 8, 1958 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, but work has not been completed that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. App. 231/57)

961-57-BZ

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner; North American Van Lines, Inc., lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of a one story building from minor motor vehicle repair shop to receiving, storage and shipping of United States serviceman's belongings.

PREMISES AFFECTED—1818-1840 53rd Street, south side, 127 feet 11¼ inches east of 18th Avenue, Block 5480, Lot 14, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfrd A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on May 27, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 27, 1958 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, and work is in progress, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (Alt. App. 3285/57)

387-57-BZ

APPLICANT—Max Siegel Associates, for Cologero Cava, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of ten (10) years, the parking of motor vehicles on the open spaces of the premises.

PREMISES AFFECTED—111-121 East 172nd Street, north side, 100 feet east of Walton Avenue and 110 Rockwood Street, Block 2835, Lot 11, Borough of The Bronx.

APPEARANCES—

For Applicant: John Hronec.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 21, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 21, 1958, by adding thereto:

"that Building No. 3 at 115 East 172nd Street may be permitted to be retained instead of being removed as required by resolution adopted January 21, 1958 *on condition* that in all other respects the terms of resolution shall be complied with." (Alt. 342/57)

621-24-BZ—Vol. III

APPLICANT—Max Siegel Associates, for Terin Garage Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired May 22, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a, 7c and 7f of the Zoning Resolution, to permit in a business use district an existing three story garage, the additional parking of motor vehicles on the roof.

PREMISES AFFECTED—234-240 East 54th Street, south side, 100 feet west of 2nd Avenue, Block 1327, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel.

MINUTES

ACTION OF BOARD—Application reopened and set for hearing on December 9, 1958, 10 A.M., waiving all requirements except new decision of the Borough Superintendent, which has been filed, and to permit two publications in the Bulletin as notices; in view of time to complete having expired on May 22, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

515-47-BZ—Vol. II

APPLICANT—Max Siegel Associates, for Sty Town Realty Inc., owner; Sty Town Service & Parking Station, lessee.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under sections 7b and 21 of the Zoning Resolution, permitting in a residence and local retail use B area district, the erection and maintenance of a building for truck terminal, stock room and the parking of four trucks, without the required rear yard.

PREMISES AFFECTED—645-649 East 12th Street, 646-648 East 13th Street, west side of 197-201 Avenue C, Block 395, Lots 29, 36, 38, 39, Borough of Manhattan.

APPEARANCES—

For Applicant: John Hronec.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

573-56-BZ

APPLICANT—Wechsler and Schimenti, for 335 West 49th Street Corporation, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired March 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7a of the Zoning Resolution, to permit in a retail use district the change of use of the cellar, first floor and second floor in an existing building from garage to storage in the cellar and factory (iron works) on the first floor and the second floor from factory to storage.

PREMISES AFFECTED—335 West 49th Street, north side, 275 feet east of 9th Avenue, Block 1040, Lot 12, Borough of Manhattan.

APPEARANCES—

For Applicant: Peter F. Licari.

ACTION OF BOARD—Application reopened and set for hearing on December 9, 1958, at 10 A. M., subject to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent, which has been filed; and to permit two publications in the Bulletin as notice, in view of the time to complete having expired on March 10, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

707-56-BZ—Vol. II

APPLICANT—Charles M. Spindler, for William Galvin, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, auto washing (non-

automatic) lubritorium, office, sale of auto accessories, minor repairs with hand tools only.

PREMISES AFFECTED—1500-1510 Williamsbridge Road, northeast corner of Eastchester Road, Block 4082, Lots 5 and 10, Borough of The Bronx.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure, previously withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

78-52-BZ

APPLICANT—Howard H. Snyder, for 768 Corporation, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired October 25, 1956—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the extension of existing stores by converting living quarters in rear of stores to store use and permitting the alteration of one store front by the installation of new front door and show window.

PREMISES AFFECTED—66 East End Avenue, west side, 76 feet 8½ inches north of East 82nd Street, Block 1579, Lot 26, Borough of Manhattan.

APPEARANCES—

For Applicant: Howard H. Snyder.

ACTION OF BOARD—Application reopened and set for hearing on December 9, 1958, 10 A. M., subject to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent, which has been filed, and to permit two publications in the Bulletin as notice, in view of the time to complete having expired on October 25, 1956.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

885-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Adele Wilson, owner.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, on a plot presently occupied as a used car lot, the erection of a gasoline service station and accessory uses including motor vehicle repairs (hand tool only) and parking of more than 5 cars.

PREMISES AFFECTED—206-11 to 206-19 (206-15 official) Northern Boulevard and 43-28 to 43-36 207th Street, northwest corner, Block 6273, Lot 20, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application withdrawn at request of the applicant, as corner property is to be taken in connection with the Clearview Expressway.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4
Negative: 0
Absent: Commissioner Sleeper 1

909-53-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, for Biagio Cataldo, owner.

SUBJECT—Application reopened May 8, 1956 as Vol. II—re (decision of the borough superintendent) under section 7c of the Zoning Resolution, to permit in a resi-

MINUTES

dence use district, the extension of a parking lot, previously granted by the Board into an adjoining lot.

PREMISES AFFECTED—239-241 Madison Street, north side, 145 feet 7 inches each of Jefferson Street, Block 270, Lots 38 and 39, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application withdrawn at request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

574-39-BZ—Vol. II

APPLICANT—John A. Dwyer, for William A. Wiedt, owner.

SUBJECT—Application reopened September 25, 1956 as Vol. II—re decision of the Borough Superintendent under sections 7b and 7e of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy from manufacturing of bandage to storage of cleaning preparations.

PREMISES AFFECTED—59-11 67th Avenue, north side, 93 feet east of Forest Avenue, Block 3502, Lot 45, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley. 4

Negative: 0

Absent: Commissioner Sleeper 1

559-47-BZ—Vol. IV

APPLICANT—Ralph E. Leff, for Ace Automobile Sales Company, Inc., owner.

SUBJECT—Application reopened November 9, 1955 as Vol. IV—re (decision of the Borough Superintendent) under section 7e and 7i of the Zoning Resolution, to permit in a business district, the erection of a one story building to be used as a showroom for the sale and display of new cars and trucks, office, closing rooms and the change of use from existing car display and preparation area to lubrication, wheel alignment and motor vehicle repairs.

PREMISES AFFECTED—1104-1140 Coney Island Avenue, west side, 100 ft. north of Avenue H, Block 6498, Lots 32 and 41, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

275-48-BZ—Vol. II

APPLICANT—Morris Hannes, for Anna Levine, owner.

SUBJECT—Application reopened—restored to docket October 22, 1957, under Vol. II—re (decision of the Borough Superintendent) under section 7c of the Zoning Resolution, to permit in a business use district, the extension of the premises presently used for the sale and display of new and used cars and parts, auto repairs with hand tools only and open storage of cars awaiting service to include manufacturing of auto springs with machine tools and to replace the open storage of cars to open yard space for the storage of new and used auto parts.

PREMISES AFFECTED—1266-1272 Ralph Avenue and 5913-5923 Clarendon road, northwest corner, Block 7907, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

247-49-BZ—Vol. II

APPLICANT—Robert Gottlieb, for E. Devlin, Inc., owner; Walter B. Cooke, Inc., lessee.

SUBJECT—Application reopened July 3, 1956 as Vol. II—re (decision of the borough superintendent) under section 7e of the Zoning Resolution, to permit in a business use "C" area district, the proposed change of occupancy and alteration of a portion of a garage accessory to a funeral home, to a casket showroom.

PREMISES AFFECTED—20-24 Snyder Avenue, south side, 146 ft. 11¾ in. east of Flatbush Avenue, Block 5109, Lots 15 and 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

1015-57-BZ

APPLICANT—Samuel S. Arlen, for Scalbert Associates, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 7e and 21 of the Zoning Resolution, to permit in a residence use district, the erection of a one story building for use as office and storage and to install parking facilities for patrons' cars and to use the balance of the premises for a golf driving range.

PREMISES AFFECTED—222-05 Horace Harding Expressway, north side, 175 feet east of Springfield Boulevard, Block 7520, Lot 98, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

1016-57-A

APPLICANT—Samuel S. Arlen, for Scalbert Associates, owner.

SUBJECT—Application December 27, 1957—Appeal from a decision of the Borough Superintendent, re frame building, business use.

PREMISES AFFECTED—222-05 Horace Harding Expressway, north side, 175 feet east of Springfield Boulevard, Block 7520, Lot 98, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Vice Chairman Keating, Commissioner Kleinert and Commissioner Foley 4

Negative: 0

Absent: Commissioner Sleeper 1

Adjourned: 7:00 P. M.

JOSEPH J. DOYLE, Chief Clerk

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 15, 1958, as they appeared in Bulletin No. 42, Vol. 43, hereby corrected to read as follows:

181-19-BZ

APPLICANT—Leonard F. Rothkrug, for Crockett Fuel Oil Co., Inc.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, permitting the extension of a garage from an unrestricted district 18 feet to 10 inches into a business district.

PREMISES AFFECTED—8661-8671 18th Avenue, east side, 337 feet 8 inches north of Benson Avenue, Block 6369, Lot 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 22, 1919, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 22, 1919, by adding thereto:

“that in the event the owner desires to divide the building so that one-half will be occupied by a conforming use only and the other half by a garage for more than five motor vehicles as hereinbefore permitted, such change of use may be permitted provided the two portions of the building are completely separated by a continuous masonry wall without openings therein, except for pedestrian *doors*, located as shown on revised plan marked “Received September 2, 1958”, *one sheet*, and that the portion of the building not used for garage may be used for the conforming use of sale and display of new and used cars, as passed by the Borough Superintendent under Alt. App. 960-58, under date of August 26, 1958.”

*Correction—In the resolution, the words “a pedestrian door” changed to “*pedestrian doors*”; the date of the revised plan changed to “September 2, 1958” and “two sheets” changed to “*one sheet*”, all as indicated in italics.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 15, 1958, as they appeared in Bulletin No. 42, Vol. 43, hereby corrected to read as follows:

567-56-BZ

APPLICANT—Albert Melniker, for Arthur Pynn, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 24, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7h, 7i and 7A of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop, public lubritorium and parking of more than 5 motor vehicles with a business entrance, curb cut within 75 feet of a residence use district.

PREMISES AFFECTED—540 Arthur Kill Road, 491 Colon Avenue, southeast corner and 490 Doane Avenue, Block 5451, Lot 77, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: William E. Roehrig.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 24, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 24, 1957, only as to the time within which to obtain permits and complete the work so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans *are being prepared for approval* by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N.B. App. 670/56)

*Correction—In the resolution, “the statement by the applicant that plans have been approved by the Department of Buildings” corrected to read “that plans *are being prepared for approval*” by the Department of Buildings, etc., as indicated in italics.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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No. 48

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

SEAN P. KEATING, Vice Chairman

EDWIN W. KLEINERT

MAX H. FOLEY

HAROLD R. SLEEPER

SAMUEL L. BECKER, Director

JOSEPH J. DOYLE, *Chief Clerk*

HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held at 80 Lafayette Street, Borough of Manhattan.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the Administrative Official either Borough Superintendent of Buildings or Fire Commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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DOCKET.

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657-58-BZ—B.M.—4 East 75th Street, south side, 75 feet south of 5th Avenue, Block 1389, Lot 65, Borough of Manhattan, N.B. 3-57—re area excessive; provide lawful rear yard—residence use, B area district.

658-58-A—B.M.—162 East 78th Street, south side, 151 feet, 3 inches east of Lexington Avenue, Block 1412, Lot 47, Borough of Manhattan, Alt. 823-58—re stair enclosure, etc.

659-58-BZ—B.B.—1398-1410 Eastern Parkway, northeast corner of Pitkin Avenue, Block 1475, Lot 35, Borough of Brooklyn, N.B. 640-58—re gasoline service station, retail sales, car laundry, minor motor vehicle repairs, etc.—business use district.

660-58-BZ—B.Bx.—3540-Boston Road and 3520 Mickle Avenue, southeast corner, Block 4724, Lot 61, Borough of The Bronx, N.B. 1052-58—re gasoline service station, lubricatorium, auto washing-non automatic, minor repairs, parking and storage of motor vehicles, etc.—retail use district.

661-58-SA—Cincinnati Gas-fired Paint Bake Oven, Conveyorized and Batch, manufactured by Cincinnati Cleaning and Finishing Machinery Co., Appliance.

662-58-SM—Nervastral Rigid, 20 Mil and 10 Mil Gauges, Flashing Material, manufactured by Rubber and Plastics Compound Co., Inc., Material.

663-58-BZ—B.Q.—25-52 Crescent Street, west side, 140.76 feet north of Astoria Avenue, Block 872, Lot 76, Astoria, Borough of Queens, Alt. 135-58—re change in use of Building #1 to factory and Building #3 to offices, drafting room and caretakers apartment—residence use district.

664-58-A—B.Q.—25-52 Crescent Street, west side, 140.76 feet north of Astoria Avenue, 1st floor, Building 3 and 2nd floor Building 1, Block 872, Lot 76, Astoria, Borough of Queens, Alt. 135-58—re egress.

665-58-A—B.R.—3380 Richmond Avenue and 4575 Amboy Road, northwest corner, Block 5585, Lot 62, Eltingville, Borough of Richmond; under section 35, General City Law re proposed curb cuts in bed of mapped street—proposed widening of Richmond Avenue and Amboy Road, N.B. 126-58.

666-58-BZ—B.B.—6901-6923 Avenue X, north side, from East 69th to East 70th Streets, Block 8447, Lots 1 and 3, Borough of Brooklyn, Alt. 3575-58—re machine shop, tile, terrazzo and marble works—business and residence use district.

667-58-SA—Cincinnati Jet Dryer, Gas-fired, Models G3048, G4848, G4860, G6060 and G7272, for drying printing on paper, cardboard, masonite, etc., manufactured by Cardel Electric Co., Inc., Appliance.

668-58-BZ—B.B.—2869-2883 Pitkin Avenue, north side, from Sheridan to Grant Avenues, Block 4222, Lot 1,

Borough of Brooklyn, Alt. 3184-58—re public parking field—residence use district.

669-58-BZ—B.B.—2885-2907 Pitkin Avenue, north side, from Grant Avenue to Elderts Lane, Block 4223, Lot 1, Borough of Brooklyn, Alt. 3183-58—re public parking field—residence use district.

670-58-BZ—B.B.—2721 Avenue D, north side, 20 feet west of East 28th Street, Block 5193, Lot 41, Borough of Brooklyn, Alt. 66-58—re undertaking establishment; area excessive; loading and unloading—local retail use district, C area.

671-58-BZ—B.B.—1379-1387 East 96th Street, east side, 100 feet north of Avenue L, Block 8242, Lot 15, Borough of Brooklyn, Alt. 2710-58—re area excessive; rear yard, etc.—business and residence use district.

672-58-A—B.Bx.—826 East 233rd Street, southeast corner of Bussing Avenue, Block 4857, Lot 44, Borough of The Bronx; under section 35, General City Law re premises in bed of mapped street—proposed widening of Bussing Avenue, N.B. 259-58.

673-58-BZ—B.M.—300-304 West 20th Street and 189-195 8th Avenue, southwest corner, Block 743, Lots 44, 45, 47 and 49; Borough of Manhattan, Amendment to N.B. 132-58—re entrances; curb cut; loading yard—residence use and retail use district.

674-58-SM—Ansul 30 lb. Dry Chemical Piped Fire Alarm System, manufactured by Ansul Chemical Co., Appliance.

675-58-A—F.D.—58-96 57th Street, west side, 431 feet, 6 $\frac{1}{8}$ inches south of Grand Avenue and 58-97 56th Street, Block 2631, Lot 19, Maspeth, Borough of Queens, Decision re Order No. 6758-8.

676-58-A—B.M.—700-746 East 14th Street, 199-215 Avenue D, 701-745 East 13th Street and 214-228 Avenue C, entire block, Block 383, Lots 1, 5, 9, 21, 27, 29, 31 and 35, Borough of Manhattan, Misc. 2923-58—re storage tanks.

677-58-SM—Nare Portland Cement, Type 1, manufactured by Marmoles Y Cementos, Del Nare, S. A., Material.

678-58-BZ—B.B.—182-188 Clermont Avenue, north side, 152 feet, 7 inches north of Willoughby Avenue, Block 2074, Lot 41, Borough of Brooklyn, Alt. 3749-58—re parking lot—residence use district.

679-58-A—B.Q.—34-51 56th Street, east side, 125 feet north of 37th Avenue, 34-50 57th Street and 56-15 37th Avenue, Block 1195, Lot 3, Woodside, Borough of Queens, Alt. 613-58—re paint spraying equipment.

680-58-SM—Mearlcrete-structural roof deck and insulation deck, manufactured by Mearl Chemical Corporation, Material.

681-58-SM—Giant Portland Cement Type III-A Air Entraining High Early Cement, manufactured by Giant Portland Cement Co., Material.

CALENDAR

682-58-SM—Insuro Six-Way Liquid Chemical Emulsion, Insura A-F Concrete Intensifier Accelerator Emulsion (concrete admixture), manufactured by Insuro Chemical Co., Inc., Material.

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337-52-A Vol. II—B.Q.—115-49 118th Street, east side, 240 feet north of Sutter Avenue. Block 11711, Lots 18 and 62, South Ozone Park, Borough of Queens, Alt. 115-58—re increase in area of nursing home.

900-50-SM—Vol. II—Asbestospray Fire Retardant Material manufactured by Asbestospray Corp.; reopened for test and report as to additional use, Material.

211-50-SM—A. Pollera and Sons Concrete Blocks, manufactured by A. Pollera and Sons, reopened for test and report, Material.

331-45-SA—Fostoria Even Ray System (Infra Red Heating Equipment), manufactured by The Fostoria Pressed Steel Corp.; reopened for report as to extension of use, Appliance.

199-57-BZ—B.M.—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan, Alt. 45-57—reopened for consideration as to extension of time to complete—re parking lot for more than five (5) motor vehicles—frame attendants shanty—restricted retail use district.

443-40-BZ—Vol. III—B.B.—890-892 Coney Island Avenue, west side, 118.7 $\frac{3}{4}$ feet north of 18th Avenue, Block 5403, Lot 26, Borough of Brooklyn, Alt. 2661-58—re extension of a business use; area excessive; rear yard—business and residence use district.

374-37-BZ—Vol. III—B.Bx.—2165-2175 Southern Boulevard and 820 East 182nd Street, southwest corner, Block 3111, Lot 59, Borough of The Bronx, N.B. 900-58—re gasoline service station, lubritorium, car wash, motor vehicle repairs with hand tools only, parking and storage for more than five (5) cars, etc.—business use district.

468-27-BZ—Vol. II—B.B.—6414-6420 Fort Hamilton Parkway and 945 65th Street, northwest corner, Block 5743, Lot 26, Borough of Brooklyn, N.B. 1852-58—re gasoline service station, auto repairs with hand tools only, car wash, parking of cars awaiting service, etc.—business use district.

924-17-BZ—Vol. II—B.B.—396-418 Coney Island Avenue, southwest corner of Caton Avenue, Block 5331, Lots 15, 22 and 28, Borough of Brooklyn, Alt. 2712-58—re garage, gasoline station, repair shop, open air parking and storage for more than 5 cars, etc.—manufacturing, residence and business use district.

320-33-BZ—Vol. II—B.R.—4360 Hylan Boulevard and 4333 Richmond Avenue, northeast corner and 4 Oceanic Avenue, Block 5322, Lot 1, Eltingville, Borough of Richmond, N.B. 981-58—re gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools, parking for more than five (5) motor vehicles, etc.—residence use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of	Jan. 8, 1957.
Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Apr. 22, 1952—Vol. 37, No. 17
Fireproof Wood, Testing of.....	Apr. 13, 1937—Vol. 22, No. 15
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
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Insulating Fibre Board Rules	Mar. 25, 1952—Vol. 37, No. 13A
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 11, 1947—Vol. 32, No. 6
Oil Burner Rules	Nov. 20, 1956.
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Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

DECEMBER 2, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 2, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

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SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubricatorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

Laid over from November 25, 1958, to December 2, 1958, at the request of an objector.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; then to December 2, 1958, at the request of an objector.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date

to be set by the Examiner after the material has been properly submitted; then to December 2, 1958, at the request of an objector.

551-57-BZ—Vol. II

APPLICANT—Hurley Kearney and Lane, for Samuel Eidelberg, and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings Bank building thereon and the use of the unbuilt upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

Laid over from November 25, 1958, to December 2, 1958, for decision; hearing closed.

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricatory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

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543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubritorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons, cars for Riccardo's Restaurant on Block No. 876, Lot No. 15 (fee to be charged).

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

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407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

649-56-BZ

APPLICANT—Henry Nordheim, for Ignazio Arnone, owner.

SUBJECT—Application reopened November 5, 1958 for consideration as to extension of time to complete, expired July 23, 1958—decision of the Borough Superintendent, previously granted on condition under sections 7b and 21 of the Zoning Resolution, permitted in a residence and unrestricted use district, the erection of a one story non-storage garage.

PREMISES AFFECTED—911 Sacket Avenue, north side, 94 feet east of Bronxdale Avenue, Block 4058, Lots 25 and 26, Borough of The Bronx.

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application reopened November 12, 1958 for consideration as to extension of time to complete, expired June 11, 1955—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a business use district, reconstruction of three (3) buildings two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt Avenue, west side, 208 feet 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn.

651-56-BZ

APPLICANT—Harry G. Savran, for Mabel F. Fredericks, owner.

SUBJECT—Application reopened November 12, 1958 for consideration as to extension of time to complete, expired June 10, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of motor vehicles.

PREMISES AFFECTED—514-516 West 168th Street, south side, 120 feet east of Audubon Avenue, Block 2123, Lots 86 and 87, Borough of Manhattan.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

Laid over from October 15, 1958, to October 28, 1958,

for inspection and decision; hearing closed; then to December 2, 1958, at the request of the applicant to submit a complete report of the conditions to the Board and statement as to occupancy by three families as indicated by the three bells at the side door.

384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street, north side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; hearing closed.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only—non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

Laid over from November 5, 1958 to December 2, 1958, for inspection and decision; applicant to submit corrected plans; hearing closed.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

754-49-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use dis-

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trict, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; applicant to report to the Board as to closing the existing entrances to East 11th Street in the residence use district, hearing closed.

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.

SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; applicant to file revised plan showing corrected arrangement of proposed building as extended, hearing closed.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rusciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block

5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed.

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

Laid over from November 18, 1958, to December 2, 1958, for applicant to file new decision of the Borough Superintendent.

284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non-automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

Laid over from November 5, 1958 to November 25, 1958, for inspection and decision; hearing closed; then to December 2, 1958, for applicant to obtain from the owner of record an affidavit if it turns out that Frank Piscopo is not the owner individually but that the premises are owned by the company of which he is president.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re (decision of the borough superintendent) under section 7e, of the zoning resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

Laid over from October 30, 1956 to November 27, 1956, to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957, at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958, then November 25, 1958, for in-

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spection and decision; also for statement from the Park Department; hearing closed; then to December 2, 1958, for preparation of resolution.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.
SUBJECT—Application February 1, 1956—Appeal from a decision of the borough superintendent—re exits.
PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 ft. south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 2, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 2, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

445-58-SA

APPLICANT—Peter S. Gluck for Earl Scheib Paint & Supply Company, owner.
SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

82-56-SA

APPLICANT—The Heil Company, Division Heil-Quaker Corp., owner.
SUBJECT—Application January 30, 1956—Heil-Quaker Gas-fired Heating Equipment, also to be marketed as Sears-Roebuck Homart Gas-fired Heating Equipment, approval of.

83-56-SA

APPLICANT—The Heil Company, Division Heil-Quaker Corp., owner.
SUBJECT—Application January 31, 1956—Heil-Quaker Winter Air Conditioners (oil-fired) also to be marketed as Sears-Roebuck Winter Air Conditioners, approval of.

86-57-SM

APPLICANT—Sayre & Fisher Brick Company, owner.
SUBJECT—Application January 24, 1957—Aglite (light-weight aggregate), approval of.

109-57-SA

APPLICANT—The Coleman Company, Inc., owner.
SUBJECT—Application February 4, 1957—The Coleman Company, Inc., Coleman Gas-fired Space Heaters, approval of.

704-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.
SUBJECT—Application September 6, 1957—American-Standard Gas-fired Horizontal Winter Air Conditioner, Model GHA, approval of.

706-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.
SUBJECT—Application September 6, 1957—American-Standard Commercial Packaged Air Conditioning Units and Self-Contained Water Cooled Air Conditioning Units, Models CCA-2, 3, 5; HCA-2H, 3H; HCA-2F, 3F, 5F; and HCA-2, 3 and 5, approval of.

743-57-SA

APPLICANT—Chattanooga Royal Company, owner.
SUBJECT—Application September 25, 1957—Royal Vented Gas-fired Room Heaters, Models 2820-A, 2830, 4840-A, 4850-A, 4860-A, 4875-A, 4940-A, 4950-A, 4960-A, 4975-A, 4820 and 4830, approval of.

84-58-SM

APPLICANT—Frankel Associates Inc., owner.
SUBJECT—Application February 19, 1958—Glas-Kote, Flameproof Material for stage, auditorium, windows, etc.; approval of.

112-58-SM

APPLICANT—E. I. du Pont de Nemours & Company, Inc., owner.
SUBJECT—Application February 20, 1958—Du Pont "Tontine" Flame Resistant Vinyl Cyclorama Material, approval of.

161-58-SA

APPLICANT—Locke Stove Company, owner.
SUBJECT—Application February 28, 1958—Warm Morning Gas-fired Room Heater, Models V20, V30, V35, VR50, VR65, V50, V65 and VR385, approval of.

180-58-SM

APPLICANT—Seelye, Stevenson, Value & Knecht for Nelson Stud Welding Division of Gregory Industries, Inc., owner.
SUBJECT—Application March 31, 1958—Nelweld Shear Connector Studs for composite steel and concrete floor and roof construction, approval of.

252-58-SM

APPLICANT—Frankel Associates, Inc., owner.
SUBJECT—Application April 23, 1958—Lin-Seal, for curtains and drapes in places of public assembly, approval of.

404-58-SM

APPLICANT—Joanna Western Mills Company, owner.
SUBJECT—Application June 2, 1958—Joanna UVO235-10F and MRBC Vinyl Coated Fabric, approval of.

408-58-SM

APPLICANT—The Georgia Company Inc., owner. Mead and Montague Co., Inc., Agent.
SUBJECT—Application July 3, 1958—Saranspun Drapery Fabric, approval of.

565-58-SA

APPLICANT—Walter Kidde & Company, Inc., owner.
SUBJECT—Application September 29, 1958—Kidde Industrial Smoke Detector, Model L-4901, Type G, approval of.

567-58-SA

APPLICANT—Manes, Sturim, Donovan & Laufer for All-Boro Gas Co., Inc., owner.
SUBJECT—Application September 29, 1958—All-Boro Gas Co. Inc., Tar Kettle Torch, Model 1 A.R., approval of.

47-47-SA

APPLICANT—Holland Furnace Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional model P-3 Oil Burner—re Holland Oil Burner, Model P-2; previously approved.

160-49-SM—Vol. II

APPLICANT—Flexible Connector Company of America, Inc., owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional gas range connectors—re Long-Flex Gas Stove Connector; previously approved.

367-49-SA—Vol. II

APPLICANT—Armstrong Furnace Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional trade name Williams Oil-O-Matic—re Armstrong Oil Burner, Model D-1, D-2 and D1-2; previously approved.

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148-50-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to include a new size Edge Strips and include Cant Strips—re Gold Bond Insulation Roof Boards; previously approved.

511-52-SA

APPLICANT—Norman Products Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional models of gas unit heaters—re Norman Three-Sixty Gas-fired Unit Heaters, Models RDG-100A, RDG-100C; previously approved.

788-53-SM

APPLICANT—Eagle Manufacturing Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional safety can—re Eagle Safety Cans, 1 gal., 2½ gal. and 5 gal. capacity equipped with flame arrestors or screen strainers; containers for temporary storage of flammable liquids; previously approved.

313-54-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional asbestos shingles—re Gold Bond Asbestos Sidings, Shingles and Accessories, Gold Bond Asbestos Cement Shingles for exterior finish on Class 4 Buildings, previously approved.

546-54-SM

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Application reopened October 29, 1958 for amendment U.S.G. Demountable office partition—re USE Demountable Partition for office; previously approved.

336-55-SA

APPLICANT—Metalmaster Corporation, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to marketing under additional trade names—re A-1 & B-1, A1-5 & B1-5, AS2 & BS2, A1-1 & B1-1, A-2 & B2, A1-6 & B1-6, A1-2 & B1-2, A2-1 & B2-1, A2-2 & B2-2, A1-3 & B1-3, & B1-3, & B3, AS2-1 & BS2-1 Oil Burners, Models B-15, BS2-1 and B2, marketed by Edwards Eng. Company under trade name of Spi-Rol-Fin, Models BS201 and BS, S-11, S-1, S-2, S-21 and S-3; Utica Oil Burner, Models A-11, A-1, A-2 and A-3; Percoflash Mfg. Corp. by trade name Percoflash and Delta Heating Corp. as Delta P-1, P-2 and P-3; and Metalmaster Oil Burner and Silent Heat Distributing Corp. Oil Burner Models AA-1, A-2, A-3 and A-11; previously approved.

334-56-SM

APPLICANT—Athol Manufacturing Company, owner.
SUBJECT—Application reopened September 17, 1958 for amendment of resolution as to include Terson 2315 FRS-MRS and Terson 2316 FRS-MRS (flameproof fabric for folding doors)—re Terson 4212 FRS-MRS, folding doors in places of public assembly; previously approved.

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.
SUBJECT—Application reopened October 7, 1958—As Vol. II—Appeal from a decision of the Borough Superintendent, re use of frame building within fire limits for storage.
PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.

SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of a mapped street—54th Road.

PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.

SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.

PREMISES AFFECTED—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.

SUBJECT—Application Aug. 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.

PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of

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the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.
PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.
SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons cars—no fee to be charged.
PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.
SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.
PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

971-57-BZ

APPLICANT—Edward J. Croce, for McFadden Brothers Post Memorial Association, owner.
SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) pleasure type motor vehicles.
PREMISES AFFECTED—518-524 Prospect Avenue, south side, 325 feet east of Prospect Park West, Block 871, Lots 22 and 24, Borough of Brooklyn.

482-57-BZ

APPLICANT—John Mashamesh, owner.
SUBJECT—Application June 28, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the extension of a one family dwelling that encroaches on the required rear yard.
PREMISES AFFECTED—46-14 216th Street, west side, 110 feet south of 46th Avenue, Block 7342, Lot 15, Bay-side, Borough of Queens.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.
SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, store and utility room, parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.
PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.
SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.
PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.
SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.
SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.
PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.
SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.
PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

446-58-BZ

APPLICANT—Nathan Lubroth, for Albert I. Cohan, owner. John Farmakides, Lessee, doing business as; J. and J. Co.
SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit the change in classification of a storage building to a garage and repairs of more than five (5) motor vehicles.
PREMISES AFFECTED—37-08 24th Street, west side, 52.12 feet, south of 37th Avenue, Block 366, Lot 32, Long Island City, Borough of Queens.

555-58-BZ

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.
SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a class 2 height district, the erection of a forty-one story building with the dormer structure greater than that permitted.
PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets, 101-129 West 51st Street and 100-126 West 52nd Street, Block 1004, Lot 29, Borough of Manhattan.

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280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

367-58-BZ

APPLICANT—Henry Nordheim, for Michal Paniewski, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the continuance of a recently erected one family dwelling without the required accessory parking space.

PREMISES AFFECTED—1548 Dwight Place, east side, 200 feet east of Ampere Avenue, Block 5411, Lot 279, Borough of The Bronx.

9-58-BZ

APPLICANT—Albert Meluiker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubricatorium, and to extend the uses to include auto body and fender repairs.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the zoning resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway and 201-207 Bennett Avenue, northwest corner, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubricatorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9½ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for continued hearing.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

Laid over from November 25, 1958, to December 9, 1958, for continued hearing to consider proposed change of use and for applicant to file new decision of the Borough Superintendent and new plans.

621-24-BZ—VOL. III

APPLICANT—Max Siegel Associates, for Terin Garage Corp., owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired May 22, 1957—decision of the Borough Superintendent, previously granted on condition, under section 7c of the Zoning Resolution, permitting in a restricted retail use district an existing three story garage, the additional parking of motor vehicles on the roof.

PREMISES AFFECTED—234-240 East 54th Street, south side, 100 feet west of 2nd Avenue, Block 1327, Lot 29, Borough of Manhattan.

78-52-BZ

APPLICANT—Howard H. Snyder, for 768 Corporation, owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired October 25, 1956—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the extension of existing stores by converting living quarters in rear of stores to store use and permitting the alteration of one store front by the installation of new front door and show window.

PREMISES AFFECTED—66 East End Avenue, west side, 76 feet 8½ inches north of East 82nd Street, Block 1579, Lot 26, Borough of Manhattan.

573-56-BZ

APPLICANT—Wechsler and Schimenti, for 335 West 49th Street Corp., owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired March 10, 1958—decision of the Borough Superintendent, previously granted on condition under section 7a of the Zoning Resolution, permitting in a retail use district, the change of use of the cellar, first floor and second floor in an existing building from garage to storage in the cellar and factory (iron works) on the first floor and the second floor from factory to storage.

PREMISES AFFECTED—335 West 49th Street, north side, 275 feet east of 9th Avenue, Block 1040, Lot 12, Borough of Manhattan.

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711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

Laid over from November 5, 1958, to November 12, 1958, at the request of an objector; then to December 9, 1958, for inspection and decision; hearing closed.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Molodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

Laid over from November 12, 1958, to December 9, 1958 for inspection and decision; hearing closed.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.
SUBJECT—Application May 27, 1958, decision of the Bor-

ough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

Laid over from November 5, 1958, to November 12, 1958, for continued hearing after applicant has filed revised plans; then to December 9, 1958 for inspection and decision; hearing closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the

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plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Avenue, northeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a

cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

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DECEMBER 9, 1958, 2 P.M.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed; then to December 9, 1958; for inspection and decision.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubricatorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision; then to November 25, 1958, at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed; then to December 9, 1958, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman*

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 9, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

166-58-A

APPLICANT—Robert Teichman, for E and A Building Corp., owner; Fisher Scientific Co., lessee.

SUBJECT—Application March 19, 1958—Appeal from an order and a decision of the Fire Commissioner re packaging of volatile and inflammable oils in Glass Bottles; capacity of bottles not in accordance with Administrative Code Requirements.

PREMISES AFFECTED—75-89 Morton Street, 633-635 Greenwich Street, northeast corner and 99-101 Barrow Street, Block 603, Lot 49, Borough of Manhattan.

556-58-A

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent re escalators.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, 1st and 2nd floors, Block 1004, Lot 29, Borough of Manhattan.

789-55-A—Vol. II

APPLICANT—Columbia Pictures Realty Corp., lessee; Prentice Development Corp. (formerly Frezard Corp.) owner.

SUBJECT—Application reopened November 5, 1958—Appeal from a decision of the Borough Superintendent, re editing and storage of films, removal of Sprinkler System.

PREMISES AFFECTED—711 5th Avenue, northeast corner of East 55th Street, Block 1291, Lot 1, Borough of Manhattan.

28-58-A

APPLICANT—Leonard F. Rothkrug, for Ginsberg Realty Corp., owner.

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SUBJECT—Application January 28, 1958—Appeal from a decision of the Borough Superintendent, re egress.
PREMISES AFFECTED—1657-1663 Broadway, northwest corner of Scaeffe Street, Block 3420, Lot 1, Borough of Brooklyn.

530-58-A

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Ohav Sholem Center of The Bronx, owner.

SUBJECT—Application September 9, 1958—Appeal from a decision of the Borough Superintendent—re Class Rooms and Rabbinical Office on the 2nd floor of a 3 story non-fireproof, Class 3 building.

PREMISES AFFECTED—838 Gerard Avenue, east side, 236 feet, 5 inches south of East 161st Street, 2nd floor, Block 2474, Lot 32, Borough of The Bronx.

613-58-A

APPLICANT—The Frink Corporation, lessee, for Frinre, Inc., owner.

SUBJECT—Application October 23, 1958—Appeal from a decision of the Fire Commissioner re use of Ransburg, 2, Electrostatic Spray Unit, not of approved type, in New York City.

PREMISES AFFECTED—217-283 63rd Street, northwest corner of 3rd Avenue, Block 5798, Lot 46, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the follows matters:

277-58-BZ

APPLICANT—Leonard F. Rothkrug, for Frank and Leana Mezzacappa, owners; Michael Battista, lessee.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the rebuilding of an accessory motor vehicle repair shop building to an existing gasoline service station and motor vehicle repair shop with parking of cars awaiting service.

PREMISES AFFECTED—175 Targee Street, southeast corner of Broad Street, Block 563, Lot 60, Stapleton, Borough of Richmond.

522-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, F area district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, minor repairs with hand tools only solely within the accessory building with less than the required setback and parking of more than five (5) motor vehicles awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—166-15 Willets Point Boulevard, north side, entire triangular block bounded by 166th Street and Cross Island Parkway, 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens.

365-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.

SUBJECT—Application May 27, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one story building from a garage for more than five (5) motor vehicles to an auto repair shop, lubritorium, servicing of cars, wheel

alignment, body and fender work, incidental painting and spraying, storage of parts, parking and storage of motor vehicles waiting to be serviced, loading and unloading and welding.

PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet 4½ inches east of Rogers Avenue, Block 5066, Lot 23, Borough of Brooklyn.

273-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Tudor Art Galleries, Charles Albert, President, owner.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of an extension to an existing structure, formerly two four story buildings and now connected, the proposed extension to have the second, third and fourth floors occupy the same area as the first floor.

PREMISES AFFECTED—309-311 East 56th Street, north side, 130 feet east of 2nd Avenue, Block 1349, Lots 6 and 7, Borough of Manhattan.

927-57-BZ

APPLICANT—Melvin E. Kessler, for Brith Realty Co., owner; John Antolotti, lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7a of the Zoning Resolution, to permit in a residence use district, the extension of the existing restaurant to enlarge the kitchen area.

PREMISES AFFECTED—337-339 East 49th Street, north side, 225 feet west of First Avenue, Block 1342, Lot 16, Borough of Manhattan.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.

PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of The Bronx

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Jerome Estates, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.

PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

489-58-BZ

APPLICANT—New York Telephone Company, owner. Mr. Harold V. Dixon, General Solicitor.

SUBJECT—Application August 18th 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as a telephone exchange.

PREMISES AFFECTED—164 Schofield Street, south side, 190.8 feet, east of City Island Avenue, Block 5641, Lot 315, Borough of The Bronx.

485-58-BZ

APPLICANT—Paul Trapani for Abe and Elizabeth Sholachman, owner.

SUBJECT—Application August 13, 1958—decision of the

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Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of an extension to the rear of an existing one family dwelling that will encroach on the required rear yard.
PREMISES AFFECTED—2835 Gunther Avenue, west side, 200.27 feet, south of Arnow Avenue, Block 4792, Lot 14, Borough of The Bronx.

257-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corporation, owner.
SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for overflow parking of patrons cars attending the nightclub located across the street for a temporary term of ten (10) years.
PREMISES AFFECTED—4101-4123 Avenue V, 2236-2238 and 2246-2284 Hendrickson Street, northwest corner, 2231-2245 and 2251-2283 Coleman Street, Block 8558, Lots 1, 18, 22, 24 and 57, Borough of Brooklyn.

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.
SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.
PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.
SUBJECT—Application reopened June 3, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, and 21 of the Zoning Resolution, to permit in a retail and residence use district, the reconstruction of an existing gasoline service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks and to relocate pumps and curb cuts.
PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.
SUBJECT—Application September 17, 1957—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.
PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.
SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.
PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 ft. south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.
SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

738-57-BZ

APPLICANT—Lama, Proskauer and Prober, for 644 Bushwick Avenue Corporation, owner.
SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, extending from the unrestricted to the business portion.
PREMISES AFFECTED—640-648 Bushwick Avenue and 14-20 Troutman Street, south side, 131 ft., 8¾ in. west of Myrtle Avenue, Block 3182, Lot 18, Borough of Brooklyn.

593-41-BZ—Vol. III

APPLICANT—William B. Lichtner for Farock Theater Corporation, owner, Lee Service Center, Lessee.
SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7i of the Zoning Resolution to permit in a business use district at an existing gasoline service station, the erection of a one bay extension to the existing accessory building and to extend the uses to include minor auto repairs with hand tools only.
PREMISES AFFECTED—10-25 Beach 19th Street, west side, 97.1 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens.

714-56-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.
SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the enlargement in the open area of a proposed gasoline service station, previously granted by the Board, to provide safer facilities for cars entering and leaving by adding two new curb cuts.
PREMISES AFFECTED—1346 Edward L. Grant Highway, east side, 369 feet north of West 169th Street, Block 2871, Lots 81, 83 and part of Lot 77, Borough of The Bronx.

1002-57-BZ

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.
SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the extension of an existing two-story and cellar building to extend the manufacture of toys to the second floor, previously used for the manufacture of women's wear.
PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

1003-57-A

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.
SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction—increase in area—exits, etc.
PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

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275-58-BZ

APPLICANT—J. M. Berlinger, for Martin Brown and William Turner, owners.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under sections 7e, 9A and 21 of the Zoning Resolution, to permit in a residence use, Class 1 height district, the erection of a six (6) story multiple dwelling with a 70 car garage that exceeds the allowable height, is located within two miles of a designated airport and provides for three (3) retail stores on the first floor. PREMISES AFFECTED—1261 Far Rockaway Boulevard, southwest corner of Beach 12th Street, Block 35, Lots 17-27 and Lot 31, Far Rockaway, Borough of Queens.

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., owner.

SUBJECT—Application October 4, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubritorium, non-automatic, auto laundry, sale of automobile accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years. PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

199-57-BZ

APPLICANT—Max Siegel Associates, for Abraham Hirschfeld, owner.

SUBJECT—Application reopened November 25, 1958 for consideration as to extension of time to complete, expired September 18, 1958—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

Laid over from November 12, 1958, to November 18, 1958,

applicant failed to give full notice to property owners; then to December 16, 1958 for inspection and decision; hearing closed.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

Laid over from November 18, 1958 to December 16, 1958, for inspection and decision; applicant may file brief as to Section 21; hearing closed.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adea Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

CALENDAR

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1601-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; applicant to submit list of dwellings occupied by two families, whether legally or illegally, within 150 feet of the subject site.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; applicant to furnish Board plans showing the parking rear of the hospital and copy of the Certificate of Occupancy; hearing closed.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only),

office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Queens Village, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Velentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; applicant to file an additional decision of the Borough Superintendent and a record of the Fire Department permits for sale of gasoline and for repairing; no further hearing.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

CALENDAR

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102. Lots 19 and 35, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for inspection and decision.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 16, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 16, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.

SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.

PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

374-58-A

APPLICANT—Simon B. Zelnik, for J. E. Lobert, owner.

SUBJECT—Application June 20, 1958—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—148 West 57th Street, south side, 225 feet east of 7th Avenue, Block 1009, Lot 55, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

JANUARY 13, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 13, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary

public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; then to January 13, 1959, at request of the applicant; no further notices to be sent out.

HARRIS H. MURDOCK, *Chairman*

JANUARY 13, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 13, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

7-58-A

APPLICANT—Loral Electronics Corp., lessee, for Herbco Realty Corp., owner.

SUBJECT—Application January 3, 1958—Appeal from a decision of the Fire Commissioner—re permit for smoking—factory.

PREMISES AFFECTED—825 Bronx River Avenue, northeast side, 300 feet east of Story Avenue, Block 3621, Lot 10, Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*

JANUARY 27, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 27, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center; then to January 27, 1959, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman*

MINUTES

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 25, 1958, 10 A.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Wednesday morning and afternoon, November 12, 1958, were approved as printed in the Bulletin of November 18, 1958, Vol. 43, No. 46.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened October 21, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks and Frank Raffa.

For Opposition: David Bergner, Erwin Weiss, Richard Lazarus and Samuel Leighton.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for continued hearing to consider proposed change of use and for applicant to file new decision of the Borough Superintendent and revised plans.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application reopened September 13, 1955 as Vol. V—re decision of the Borough Superintendent, under section 7e, of the Zoning Resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room oven and refrigerator and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 feet south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: Samuel Bodian.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for preparation of the resolution; hearing previously closed.

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Application February 1, 1956—Appeal from a decision of the Borough Superintendent—re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 feet South of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. in conjunction with Cal. No. 344-33-BZ, Vol. V; hearing previously closed.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section

7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks.

For Opposition: Michael C. Curci.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing previously closed.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: William G. Jozroiak and Mrs. William Healy.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. at the request of an objector.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adea Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash, non-automatic, minor repairs, with hand tools only, office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02-12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman and Arthur Levine.

For Opposition: Michael Baum, Virginia Zarzycki and Lauretta Czizik.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

MINUTES

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, non-automatic, motor vehicle repair shop, for minor repairs, hand tools only, and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy.

For Opposition: None.

ACTION OF BOARD—Laid over to January 27, 1959, at 10 A. M. for further consideration and decision; hearing previously closed.

551-57-BZ—Vol. II

APPLICANT—Hurley, Kearney and Lane, for Samuel Eidelberg and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings Bank building thereon and the use of the unbuil upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: R. S. Hardy and George P. Lane.

For Opposition: Maurice C. Greenberg.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for decision; hearing closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry, non-automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Helen Maas.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for further consideration and decision; hearing previously closed.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

APPEARANCES—

For Applicant: William C. Kane.

For Opposition: Max Gottlieb and George T. Schmidt.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

98-58-BZ

APPLICANT—Robert J. Crinnion, for Ahonor, Inc., owner.

SUBJECT—Application March 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, with accessory uses of lubritorium, car washing, non-automatic, minor repairs with hand tools only, office, storage and sale of automobile accessories and parking of more than five (5) passenger cars awaiting service.

PREMISES AFFECTED—3915 Bronxwood Avenue, west side, from East 222nd Street to East 223rd Street, Block 4847, Lots 1 and 3, Borough of The Bronx.

APPEARANCES—

For Applicant: Thomas Crinnion.

For Opposition: None.

ACTION OF BOARD—Laid over date to be set; for inspection by member of the Board and decision; hearing previously closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Gilbert Kerley.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. at the request of an objector.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Gilbert Kerley.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. at the request of an objector.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Anthony T. Nappi.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

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284-58-BZ

APPLICANT—John J. Tricarico, for Frank Piscopo, owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash, non-automatic, lubratorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Tricarico.

For Opposition: C. Cammarata.

ACTION OF BOARD—Laid over to December 2, 1958, at 10 A. M. for applicant to obtain from the owner of record an affidavit if it turns out that Frank Piscopo is not the owner individually but that the premises are owned by the company of which he is president.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp., Martin Masci, Anthony Masci and Valentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons and Martin Masci.

For Opposition: Jacob Nudell, Michael Spero, C. V. De Fonseca, Angelo Cestra, Michael Carmasino, Biagio Felicioni, Domenico Russo, Anthony Pezzano, Rev. R. D. Dunn, Carmine Stasi, B. W. Harris, Daniel Chervenik, A. M. Gomes, L. Dibelardini, Concetta Cappo, Elda Felicione, D. Girardo, F. Ambasanio, Robert Bird, Dominick Favichia, Samuel Cutalo, Michelina Di Domineck, Josephine Verno, Frances Carretti, Elizabeth Catalano, Rosina Pezzano and others.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed; applicant to file an additional decision of the Borough Superintendent and a record of the Fire Department permits for storage of gasoline and for motor vehicle repairing; no further hearing.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed; applicant to submit list of dwellings occupied by two families, whether legally or illegally, within 150 feet of the subject site.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Mitchell and Victor B. Schneider.

For Opposition: C. J. Cammarata, N. Y. C. Housing Authority.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—Appeal from a decision of the Borough Superintendent, re live load, class 3 construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Mitchell.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision, in conjunction with Cal. No. 371-58-BZ; hearing closed.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubratorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles, the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1501-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern and Joseph F. Lynch.

For Opposition: Victor J. Ambrose, Lillian F. Goldberg, Warren W. Pym, Mildre Pitta, Mary Giordano, Mildred Ambrosino, Adam Schliessman, Anna Lo Pinto, Anna Ambrosino, Mafalda Barone, Lena Izzolo, Rose Geffen,

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Ruth Kamholz, Mary Vogler, Josephine Santelli and Mrs. Louis Lucchi.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

APPEARANCES—

For Applicant: John H. Thatcher and William K. Elliot.
For Opposition: Frank J. Pino, Olga Sa Kava Martini, Clara Cuppola, Fannie Barth, James Ruggiero, Carolyn Ruggiero, Margaret Snidersich, Pearl Osbaum and George Osbaum.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

461-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert Gordon.
For Opposition: James E. Baker, Harry W. Lange, C. E. Schwengeher, Mrs. Thomas F. Baker, Mrs. Hedwig Volumar, Mrs. H. Meyer, Mrs. Lydia Olson, Konrad S. Rylander and George L. D. Baker.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; applicant to furnish Board plans showing the parking at rear of the hospital and copy of the Certificate of Occupancy; hearing closed.

1013-18-BZ—Vol. II

APPLICANT—Dominick Salvati and Son, for Louis Ponsiglione, owner, Frank Pensabene, lessee.

SUBJECT—Application reopened June 4, 1957 as Vol. II re: decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing one-story building from public garage to motor vehicle repair shop—power and handtools, and automobile painting—no welding.

PREMISES AFFECTED—129 Carroll Street, north side, 104 feet west of Henry Street, Block 349, Lot 31, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leon Komondorea.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 4, 1957 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1 height district; President Street and Carroll Street are in residence and business use, C area, class 1 height districts; Hicks Street and Henry Street are in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 7, 1957 acting on Alt. Applic. No. 821-57; reads:

"1. Proposed change of use to automobile minor body repair and minor painting (no welding) in a Residence Zone is contrary to Art. II, PP. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100 feet in depth; and

WHEREAS, the applicant states that though the area was a residence use district as of July 25, 1916 the building was approved and erected in 1918 for commercial purposes; that a Certificate of Occupancy for a public garage was issued on February 26, 1921; and

WHEREAS, the applicant further states that the present lessee has leased the subject premises for use as a public garage; that the lease was in effect as of March 1, 1953 at an annual rental of \$2,400; that the lessee now realizes that the residents in this neighborhood are not in a financial position to garage their automobiles and he now finds himself in an awkward position; that it has become extremely difficult to meet his financial obligations and provide a proper livelihood for his family; and

WHEREAS, the applicant contends that being legally bound with a lease to a failing business venture, the lessee finds himself in a useless struggle and realizes that the premises cannot be operated successfully as a public garage, alone; that if he were permitted to increase his services to the public, it might be the answer to his problem; that the additional service will consist of minor repairs to the body of an automobile, such as a door or fender; that performance of such work will not include welding of any type, but will include the use of powered and non-powered hand tools; that major work, such as the restoration of extremely damaged automobiles, will not and cannot be done as the necessary facilities are lacking; that since the premises are located off a main thoroughfare, it can be assumed that the additional service will in no way cater to transient trade; and

WHEREAS, the applicant states that the present owner has held title to the property since February 23, 1946; that the assessed valuation of land is \$3,000 and of the building \$7,000 making a total of \$10,000; that the building was erected in 1918; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the committee found the premises in use as a repair shop; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e to permit the existing building, as indicated on plans filed with this application marked "Received May 8, 1957", one sheet, and "October 8, 1958", 4 sheets, to be occupied as motor vehicle repair shop as proposed *on condition* that the building shall not be increased in height or area; that there shall be maintained a ventilating system consisting of fan and louver in the wall of the building to exhaust any fumes caused by the spraying operation; that the use may also include such spraying but not welding; that the building and occupancy shall in all other respects comply with all laws, rules and

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regulations applicable thereto; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

375-30-BZ—Vol. III

APPLICANT—Lama, Proskauer & Prober for Ardie Brinker, Edward J. Brinker and Morris Ziedenweber owners.

SUBJECT—Application reopened March 11, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a business use district, the change in occupancy of an existing one story building from auto repair shop to a shop for baling new waste materials—cotton, nylon, rayon, wool and acetate, for a temporary term of ten (10) years.

PREMISES AFFECTED—622 Herkimer Street, south side, 25 feet east of Schenectady Avenue, Block 1707, Lot 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on March 11, 1958 subject to regular procedure, in view of substantial new facts being stated by applicant; and

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Herkimer Street are in a business use, C area, class 1 height district; Schenectady Avenue and Utica Avenue are in business and unrestricted use, C area, class 1 height districts; Atlantic Avenue is in an unrestricted use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 19, 1958 acting on Alt. Applic. No. 3435-57, reads:

"1. Proposed change of occupancy from public auto repair shop to baling of new waste material (cotton rayon, nylon wool acetate), within a business use district, is contrary to Art. 2, Sect. 4a(20) of the zone resolutions. Note these premises were subject to a variance granted by Bd. of St. & Appeals under 375-30-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 92 feet 9 inches in depth, presently developed with a one story masonry building of class 3 construction, having a frontage of 25 feet on Herkimer Street and a depth of 92 feet 9 inches and now illegally used for baling of new waste material—cotton, rayon, nylon, wool and acetate; that it is proposed to legalize and maintain the present uses of baling of new waste material—cotton, rayon, nylon, wool and acetate; and

WHEREAS, the applicant states that the building was erected under N.B. Applic. No. 6927 of 1927 and Certificate of Occupancy No. 6138 was issued for use as an automobile paint shop and accessory store; that the building was later altered under Alt. Applic. No. 5771 of 1930 and Certificate of Occupancy No. 62436 was issued for use as a public auto repair shop based upon a variance granted by the Board under Cal. No. 375-30-BZ; and

WHEREAS, the applicant contends that the change of use of said building from a legal public auto repair shop to baling of new waste material cannot possibly affect any of the adjoining properties, inasmuch as this is merely a change from one non-conforming use to another; that all the activities of the present use will be strictly confined to the inside of the building; that Herkimer Street at this point, al-

though zoned for business, has not developed into a strictly business area; that lots 53, 57 and 58 in block No. 1701 are now developed with a storage of materials yard, which tends to lower the business aspect of this street; and

WHEREAS, the applicant states that the present owners have held title to the property since November 16, 1951; that the assessed valuation of land is \$2,150 and of the building \$5,050 making a total of \$7,200; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e to permit for a term of two years the premises to be occupied for the baling of new waste materials such as cotton, wool, rayon, nylon and acetate as proposed and as indicated on plans filed with this application marked "Received July 18, 1958," six sheets, *on condition* that the building shall not be increased in height or area; that during the term of this variance the premises shall be occupied for no other use; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that there may be a curb cut not over twelve feet in width to the premises from Herkimer Street; that the sidewalk and curbing in front of the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that all windows on the lot lines as now existing or proposed shall be fireproof self-closing; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

863-48-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Freda K. Berger, owner.

SUBJECT—Application reopened September 18, 1956 as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, G-1 area district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs with hand tools only, parking and storage of motor vehicles and less than the required 15 feet from the street line.

PREMISES AFFECTED—259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

APPEARANCES—

For Applicant: John P. McGrath and James Vassalotti.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE OF NOVEMBER 18, 1958—

Affirmative: Vice Chairman Keating 1

Negative: 0

No other voting.

THE VOTE OF NOVEMBER 25, 1958—

Affirmative: Commissioner Kleinert, Commissioner Foley 2

Negative: Chairman Murdock and Commissioner Sleeper 2

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on August 18, 1956 subject to regular procedure, to consider new proposal; and

WHEREAS, a public hearing was held on this application on October 8, 1957 after due notice by publication in the Bulletin; laid over to November 19, 1957 at 10 A.M. for inspection and decision; hearing closed; thereafter laid over to December 10, 1957 and December 17, 1957 at 10 A. M. for inspection and decision; hearing closed; and

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WHEREAS, a public hearing was held on this application on December 17, 1957 after due notice by publication in the Bulletin; application withdrawn; and

WHEREAS, the applicant requested reopening of this application for restoration to the Calendar for re-hearing; and

WHEREAS, this application was reopened on June 10, 1958 and restored to the Calendar for hearing; date to be set by the examiner; previously withdrawn December 17, 1957; and

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for inspection and decision; hearing closed; then to November 25, 1958, for continuation of the roll call of the members of the Board; and for preparing record of prior applications and court review; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 79th Avenue and Union Turnpike are in a residence use, G-1 area, class 1 height district; that as of July 25, 1916 the premises were in a business use district and a class D area district; that the present use designation became effective July 28, 1939 and the present area designation became effective January 27, 1949; and

WHEREAS, the decision of the Borough Superintendent, dated May 8, 1958 acting on amendment to N.B. Applic. No. 4469-55, reads:

"1. The proposed use of premises as a gasoline service station, lubritorium, car washing, office and sales, storage room, minor auto repairs (hand tools only), parking and storage of motor vehicles in open spaces, and proposed ground signs & business signs in a Residence Use District is contrary to Art. II Sect. 3 of the Zone Resolution.

"2. The proposed erection of a building & gasoline pumps which are located nearer than 15 feet to the street line of any street in a G-1 area district is contrary to Art. IV Sect. 16-C(b) of the Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 132.18 feet frontage by 53.20 feet, irregular in depth, presently unimproved; that it is proposed to erect and maintain a gasoline service station consisting of ten 550 gallon gasoline storage tanks and four dispensing pumps; that the proposed accessory building will have a frontage of 44 feet, a depth of 30 feet, one story in height, of class 3 construction, and contain the conjunctive uses of office and sales, lubritorium, minor repairs with hand tools only, and car washing; and

WHEREAS, the applicant states that the site consists of an entire small irregular and isolated block upon which it is impractical to erect a dwelling; that Union Turnpike is a heavily traversed auto lane and the attendant noises and fumes would be detrimental to a dwelling; that the entire area is heavily developed with dwellings and the heavy auto traffic on Union Turnpike has created a need for the proposed gas station at this point; that block 8513, lot No. 2 directly opposite the site, is developed with stores, and to erect a dwelling on this isolated block in between heavy auto traffic on Union Turnpike and 79th Avenue, stores would be impractical; that Union Turnpike, 79th Avenue, 259th Street and 260th Street, the four streets that bound the site, are always being used for parking of motor vehicles by the public, shopping at stores directly opposite the site; that the site therefore is in such a congested spot that the only practical use for which it could be developed is the proposed gas station; and

WHEREAS, the applicant contends that the owner is compelled to pay real estate taxes on the site in order to maintain his ownership and yet cannot receive a return on his investment due to the hardship sustained by the manner in which the area has developed; that although the site is in a G-1 area district, being isolated, small in area and opposite stores, and completely surrounded by parked cars for said stores, the leaving of a 15 foot setback is impractical and will hardly be of any advantage to the community; that the appearance of the proposed accessory building will be in entire accord with the area as it has developed, as the

facades will be of stone and the roof will be peaked and slate covered; and

WHEREAS, the applicant states that the present owner has held title to the property since December 31, 1947 and that the assessed valuation of land is \$1,600; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, Cal. No. 863-48-BZ-Vol. I—Application filed September 24, 1948 proposing 6-one-story stores, 100% coverage of lot in residence G1 district area of plot 3938 square feet. Property purchased December 31, 1947, subject to tax lien. Zoning changed from business to residence July 28, 1939. An application was before the Board of Estimate to change the zoning to business. The Board of Estimate at end of hearing, July 22, 1948, refused to change this plot from residence to business. No other property was involved.

The Board denied the application for stores on a vote of 2 to 2, May 24, 1949. At Special Term, matter remitted to the Board by Mr. Justice Hill; at Appellate Division, reversed decision at Special Term 5 to 1, stating "that Special Term arrogated to itself the powers of the Board"; "that the decision of the Board has support in the evidence"; "it is not arbitrary and it may not and should not be disturbed".

Following this, an action for declaratory judgment was filed—Berger vs. Keleher. At Special Term, Mr. Justice Pette declared the zoning regulations unconstitutional. At Appellate Division, by a vote of 3 to 2, reversed Special Term and upon further appeal to the Court of Appeals, judgment of Appellate Division was affirmed "without prejudice to plaintiff taking such appropriate action as she (Frieda Berger) may be advised in connection with set-back and area restrictions as to a conforming use". All concur except Froessel and Burke J.J., taking no part.

Current application for variance for a gasoline station filed July 12, 1956, reopened September 18, 1956—withdrawn December 17, 1957. Restored to docket June 10, 1958. Hearing October 28, 1958 and laid over for decision to November 18, 1958 and then to November 25, 1958.

Reference Case 826-53-BZ, next block east #8677 Lot 61, application filed for stores and parking November 20, 1953 by David Postal, owner since May 1951; Residence G1; hearing on March 2, 1954 and inspection; Application withdrawn April 20, 1954. Reopened as Vol. II on February 21, 1956 for gasoline station, same Block 8677 Lot 61. Hearing June 12, 1956, laid over to July 24 for inspection and decision. Denied 4-0 on July 24, 1956.

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7 e for a term of fifteen years to permit the premises to be occupied as proposed as a gasoline station and uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received July 12, 1956", 3 sheets, as amended by revised plans marked "Received November 29, 1957", one sheet, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Union Turnpike and shall be constructed and arranged substantially as shown on the plans above referred to; that on the lot lines on 79th Avenue, 259th Street and 260th Street there shall be erected a brick wall on a masonry base not less than two feet in height with steel pickets above to a total height of five feet six inches continuously except that where the walls of the proposed accessory building occur on the lot line such wall may be omitted; that there shall be no windows in the street lines of the accessory building; that pumps shall be of low approved type erected not nearer than ten feet to the street building line of Union Turnpike; that the number of gasoline storage tanks shall not exceed

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ten 550 gallon approved tanks; that a planting area shall be maintained toward the 259th Street side of the lot, as shown, with suitable planting and protected by a concrete curbing not less than six inches in width and eight inches in height; that curb cuts shall be restricted to two curb cuts to Union Turnpike each 30 feet in width, where shown, with no portion of any curb cut nearer than five feet to a street building line as prolonged; that signs shall be restricted to permanent signs attached to the facade of the accessory building excluding all roof signs and temporary signs and advertising devices but permitting the erection toward the westerly portion of the plot of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line of Union Turnpike for a distance of not more than four feet; that the balance of the premises where not occupied by accessory building and pumps and planting shall be paved with concrete or asphaltic pavement; that under Section 7i, for a similar term, there may be minor repairing with hand tools only for adjustments maintained solely within the accessory building; that parking and storage of motor vehicles may also be permitted under Section 7h for a similar term provided such parking and storage is located in such portions of the premises as will not interfere with the servicing of the station; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the sidewalk and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

594-50-BZ—Vol. II

APPLICANT—Alvin F. Golankiewicz for Frank Golankiewicz and Roman Golankiewicz, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, on a plot consisting of three lots, the extension of a parking lot, previously granted by the Board and located on the westerly 62 feet of the premises, to occupy the entire plot.

PREMISES AFFECTED—649-659 East 225th Street, north side, 205.02 feet east of Carpenter Avenue, Block 4827, Lots 29, 34, and 36, Borough of The Bronx.

APPEARANCES—

For Applicant: Alvin F. Golankiewicz.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 3, 1958 subject to regular procedure, to consider extension of parking use; and

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Carpenter Avenue are in a residence use, C area, class 1¼ height district; East 225th Street and East 226th Street are in residence and business use, C area, class 1¼ height districts; White Plains Road is in a business use, C area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 15, 1958 acting on Alt. Applic. No. 286-58, reads:

"1. The proposed extension of the present parking to include all of lot 34 and in addition also lot 29 is contrary to Bd. of S & A Cal. #594-50-BZ and to Sect. 3 of Art. II Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 114.5 feet in depth; that it

is proposed to use the entire plot for parking and storage of about 60 cars, of the pleasure type, each in its assigned place; and

WHEREAS, the applicant states that the Board granted a variance to allow parking on the west 62 feet of this plot under Volume I of this application; and

WHEREAS, the applicant contends that there is a necessity and demand for off street parking in this vicinity, as there are many apartment houses without parking facilities; that there will be little in and out traffic during daytime and most of the traffic on the street occurs before or after school hours; that the plot has been in the owners' family for over 35 years and they have paid taxes continually; that they still are unable to find a suitable use for this property other than that requested; that as the avowed policy of the City Administration is to require all future apartment houses to provide off street parking for tenants' automobiles, the granting of this application would be a help in carrying out this policy; that the proposed enlargement would in no way be detrimental to the neighborhood; and

WHEREAS, the applicant states that the present owners have held title to the property since December 11, 1922 and that the assessed valuation of land is \$22,700; and

WHEREAS, the premises and surrounding area have previously been inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on November 28, 1950, under Volume I by adding thereto:

"that in the event the owner desires to increase the size of the parking lot area to include the total 200 feet frontage, as proposed and indicated on plans filed with this application, marked "Received May 6, 1958", 4 sheets, such extension may be permitted provided similar requirements as stated in the above cited resolution shall apply to the balance of the property; and under section 7h, the term for the entire site shall be for five years from the date of this amended resolution; and that all permits required shall be obtained, including a certificate of occupancy covering the entire site and all work completed within six months from the date of this amended resolution."

606-57-BZ

APPLICANT—Julian Roth of Emery Roth and Sons, for 850 Third Avenue Corp., owner.

SUBJECT—Application August 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a retail use, B area district, the erection of an eleven story, class B hotel occupying more than the permitted area.

PREMISES AFFECTED—838-852 3rd Avenue, west side, from East 51st to East 52nd Streets, 161-175 East 51st Street and 160-166 East 52nd Street, Block 1306, Lots 30, 33 and 41, Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth and Edward Friedman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 17, 1957 after due notice by publication in the Bulletin; and

WHEREAS, this application was laid over; applicant to submit a showing of hardship for the Board to study and consider it; date to be determined, after applicant notifies the Board when he is ready; and

WHEREAS, this application was re-set for a continuation of the hearing on November 5, 1958 at 10 A. M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

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WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection if necessary and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Third Avenue, East 51st Street, East 52nd Street and Lexington Avenue are in a retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated September 24, 1958 acting on amendment to N.B. Applic. No. 63-57, reads:

"A1. Repeat. Proposed coverage of lot on 1st to 5th stories in excess to area permissible under Art. IV, Paragraph 12(b) of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet 10 inches frontage by 120 feet and 195 feet in depth, occupied by six buildings which are to be demolished; that it is proposed to erect an eleven story hotel; that in view of the fact that this building contains more than six passenger elevators and is within a block which is zoned retail in its entirety, conformance with the setback and court and yard requirements of the Multiple Dwelling Law is not required; that in addition to the hotel rooms and the accessory uses for the hotel, a substantial portion of the plot area will be devoted to a police station and fire house to be constructed by the owners and thereupon leased to The City of New York; that the plans attached to this appeal indicate the extent of the space to be occupied by the police station and fire house; that these combined uses will occupy 31,158 square feet and approximately 377,886 cubic feet; and

WHEREAS, the applicant states that the following is a computation of the permitted area under Article 4, Paragraph 12(b) of the Zoning Resolution: area of plot—31,632 square feet; 5,000 square feet (corner) by 2 by 80% equals 8,000 square feet; 31,632 square feet minus 10,000 square feet equals 21,632 square feet; 21,632 square feet by 65% equals 14,060 square feet; allowable area—22,060 square feet; and

WHEREAS, the applicant states that inasmuch as the police station and fire house and the business uses accessory to the hotel occupy the areas listed below on the first to fifth floors, substantial compliance with the Zoning Resolution has been provided;

Floor	Area to be occupied by Police Dept. and/or Fire Dept.	Accessory Use Hotel	Residential Use
First	11,420 sq.ft.	17,217 sq.ft.	None
Second	3,673 sq.ft.	24,544 sq.ft.	None
Third	2,937 sq.ft.	11,360 sq.ft.	8,676 sq.ft.
Fourth	7,260 sq.ft.	None	13,028 sq.ft.
Fifth	5,868 sq.ft.	None	13,028 sq.ft.
Sixth to 11th Floor	None	None	13,668 sq.ft. per floor

and

WHEREAS, the applicant states that under the Zoning Resolution, Article 4, Paragraph 12(b), there is no area restriction for business usages; that the area devoted to residential use below the fifth floor is well within the area permitted by the Zoning Resolution; that the portion of the building above the fifth floor which is devoted to residential use comes well within the areas permitted by the Zoning Resolution; that the area devoted to residential use is 13,668 square feet compared to 22,060 square feet permitted by the Zoning Resolution; that in fact, less than 50% of the plot area is thus used; that the proposed building is located within a block which is zoned retail; that the owner could elect to erect an office building on the site as is now being erected on the balance of the East 51st Street frontage by another owner; that such an office building would not be subject to restrictions as to area, nor be required to provide courts for ventilation; that similarly, the portion of the hotel which

is devoted to business use—accessory hotel uses—or to police and fire department requirements, should not be subject to area restrictions; that he emphasizes the fact that the usages for the lowest five stories of the building would be permitted as business in a retail district were they not, of necessity, accessory to the hotel occupancy; that as business uses in a retail district they would not be subject to area restrictions; that therefore the proposed building should be considered as a hotel, which conforms to the area requirements of the Zoning Resolution, superimposed on a business building, which is not subject to area restriction; and

WHEREAS, the applicant contends that the reason for mentioning "area" in relation to Objection No. A-1, is that where a variance is one of area only, there is no change in the character of the zoned district; that therefore, it has been held by the Courts that a change of area may be granted on the grounds of practical difficulty alone, without considering whether there is an unnecessary hardship (matter of Bronxville vs. Francis, 1 App. Div. 236 (1956)); that in view of the inclusion of the police station and fire house within the site of the building, and in view of the fact that the lowest five stories of the building are devoted essentially to business, it is respectfully requested that a variation of Article 4, Paragraph 12(b) of the Zoning Resolution be granted, and such variance be granted under Section 21 of the Zoning Resolution; and

WHEREAS, the applicant states that the present owner has held title to the property since September 8, 1956; that the assessed valuation of land is \$955,000 and of the buildings \$75,000 making a total of \$1,030,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition but does not agree with the Building Department in invoking Section 12b of the Zoning Resolution in view of the expressed interpretation by this Board that such section does not apply to a building unless the building is completely residential use throughout; and that the building is in substantial compliance; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 to permit the construction and use of the building as proposed and as indicated on plans filed with this application marked "Received October 2, 1958", 12 sheets, and "November 4, 1957", one sheet, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within the Requirements of Section 22A of the Zoning Resolution.

774-57-BZ

APPLICANT—Leonard F. Rothkrug, for 324 Lafayette Realities, Inc., owner.

SUBJECT—Application October 29, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, motor vehicle repairs with hand tools only, car washing—non-automatic, sales and parking of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—3225 Baychester Avenue, northwest corner of East 222nd Street, Block 4880, Lots 23 and 30, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Samuel Bodian, City Const. Co-ord.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for applicant to file revised plans showing pumps back fifteen feet from the street building line and for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Baychester Avenue are in a residence use, C area, class $\frac{1}{2}$ height district; Given Avenue and East 222nd Street are in business and residence use, D and C area, class $\frac{1}{2}$ height districts; Edwon Avenue is in a business use, D area, class $\frac{1}{2}$ height district; that on July 25, 1916 the premises was located in an unrestricted use, class 1 height district; that the use district was changed from unrestricted to business on January 20, 1927 and then to its present designation on August 26, 1954; that the height district was changed to its present designation on August 26, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated September 28, 1957 acting on N.B. Applic. No. 1101-57, reads:

"1. Proposed use of gasoline service station, lubricatorium, minor repairs, car washing, office, sales, and parking of motor vehicles awaiting service in a residence use district is contrary to Art. II Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 152.76 feet frontage by 120.80 feet in depth, irregular; that it is proposed to erect and maintain a gasoline service station, with motor vehicle repairs using hand tools only, non-automatic car washing, lubricatorium, sales and parking for cars awaiting servicing; and

WHEREAS, the applicant states that the premises is located in an undeveloped area near the New England Thruway, and the entire affected area is vacant, with only a few exceptions; that on July 25, 1916 these premises and most of the area was in an unrestricted use district; that the proposed use is a permitted use in an unrestricted use district and therefore would have been permitted on these premises without a variance until January 20, 1927, when it was rezoned to business; that the premises remained zoned business until August 26, 1954 when it was rezoned to its present use district; that the owner purchased the major portion of these premises on November 8, 1948 from Crawford Associates, Inc.; that the small triangular gore noted as lot 30 was purchased from the Empire City Racing Associates on June 7, 1954; that the owner has owned the premises for almost ten years and the only new construction has been the New England Thruway; and

WHEREAS, the applicant contends that the premises cannot be economically developed with a conforming use; that there is no demand for development of this site with a residence; that there is considerable vacant land in the affected area and within this neighborhood; that it can be predicted that as a result of the Thruway, there will be a development of the neighborhood; that however, Baychester Avenue will become a major traffic artery leading to and from the Thruway and will be undesirable for residence use; that the development will be on the side streets; that there is an economic demand for development of the site with a gasoline service station as the opening of the Thruway creates a need for this service; that there are two new gas stations granted by the Board on the east side of Baychester Avenue between the Thruway and Boston Post Road, four blocks to the north; that these two stations service cars exiting from the Thruway or entering the Thruway for northbound travel; that there are no gas station facilities in this area for Thruway southbound traffic along the west side of Baychester Avenue; that since the bulk of the Thruway traffic at this point will be southbound to the City, there will be an urgent

need for the proposed service; that there is little or no pedestrian traffic at this location; that almost all of the few buildings in this area were erected before 1927, when the premises was in an unrestricted use district; and

WHEREAS, the applicant further contends that a grant of the variance will not adversely affect any of the surrounding property owners within the affected areas; that East 222nd Street is over 100 feet in width and is entirely vacant except for one building on the south side; that East 222nd Street is unopened to the east, and to the west the property is entirely vacant except for existing non-conforming uses—motor vehicle repair shop and gas station in block 4758, lot 2 and a stone yard in block 4758, lot 9; that the property adjoining the premises to the north will be adequately protected by solid fences and the wall of the service station building; that there will be no openings in this wall out to the adjoining properties, so that there will be no fire hazard and no odors; that in view of the traffic island in the center of Baychester Avenue at this tax block, there will be no chance of traffic congestion, and patronage for the proposed station will be from automobiles traveling south, away from the adjoining property; and

WHEREAS, the applicant states that the present owner has held title to the property since November 8, 1948 and June 7, 1954 and that the assessed valuation of land is \$12,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and lawful accessory uses substantially as proposed and as indicated on plans filed with this application marked "Received October 29, 1957", 3 sheets, and "November 21, 1958", 3 revised sheets, *on condition* that all buildings and uses on the premises shall be removed and the premises shall be leveled substantially to the grade of Baychester Avenue and East 222nd Street and shall be constructed and arranged as indicated on such revised plans; that the accessory building shall be of the design and arrangement as indicated, without cellar and faced on all sides with face brick; that pumps shall be located not nearer than fifteen feet to either street building line; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved storage tanks; that the balance of the premises shall be paved with concrete or asphaltic pavement; that sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that curb cuts shall be restricted to two curb cuts each 30 feet in width to Baychester Avenue, where shown, and two curb cuts of similar width to East 222nd Street to be rearranged so as to provide that the two curb cuts shall be separated by a distance of approximately 40 feet; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs and advertising devices but permitting the erection of a post standard within the intersection for supporting a sign, which may be illuminated, advertising the brand of gasoline on sale and permitting such sign to extend beyond the building line of Baychester Avenue for a distance of not over four feet; that at such intersection there shall also be maintained a block of concrete not less than twelve inches in height and extending for a distance of five feet along either building line from the intersection; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, for a similar term, there may be motor vehicle repairing with hand tools only for adjustments maintained solely within the accessory building; that under Section 7h, for a

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similar term, there may be parking of cars awaiting service; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

296-58-BZ

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, auto repairs with hand tools only, office, sale and storage of auto accessories, parking of more than five (5) cars waiting to be serviced, with a ground sign in a retail use district, for a stated term of fifteen (15) years, this gas station to be used in conjunction with a retail shopping center.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a retail use, F area, class ½ height district; Bell Boulevard and 26th Avenue are in retail and residence use, F area, class ½ height districts; 23rd Avenue and 210th Street are in a residence use, F area, class ½ height district; that as of July 25, 1916 the property was zoned as a business district and on December 19, 1938 it was placed in a residence district; that on March 1, 1954 the Cord Meyer Development Company, as owner of a large area in this section of Queens, requested the City Planning Commission to initiate a change of zoning to permit a 4,000 home development and a retail shopping center; that a copy of the above mentioned letter dated March 1, 1954 is filed herewith together with a site plan, which was filed therewith; that this plan shows the proposed shopping center, parking for upwards of 1,000 cars, a gasoline service station, an area reserved for future development and a recreation area; that on March 16, 1954 the City Planning Commission initiated an amendment of the use district maps; that on April 14, 1954, after public notice and hearing, the City Planning Commission adopted a report and resolution which was thereafter filed with the Board of Estimate; that a copy of the above mentioned report and resolution is filed herewith together with a diagram prepared by the City Planning Commission dated March 16, 1954 showing the proposed use district amendment; that on April 29, 1954 the zoning amendment became effective, by which the subject premises and certain adjoining property were placed in a retail use district; that as of July 25, 1916 the property was zoned as a one times height district and the present class ½ height designation became effective on October 29, 1954; that as of July 25, 1916 the property was zoned as a D area district and the present F area designation became effective on December 19, 1938; and

WHEREAS, the decision of the Borough Superintendent, dated September 11, 1958 acting on N.B. Applic. No. 576-58, reads:

"1. The erection of a gasoline service station in a retail use district with accessory lubritorium, car washing (non-automatic), auto repairs with hand tools only, office, sales and storage of auto accessories, parking of

more than five cars waiting to be serviced is contrary to Art. II Sec. 4A Zone Res.

2. The erection of a ground sign in a retail use district is contrary to Art. II Sec. 4A Zone Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 135.45 feet and 189.66 feet frontage by 115 feet and 58.6 feet in depth, presently vacant; that it is proposed to erect and maintain for a stated term of fifteen years, a modern gasoline service station, with customary, incidental accessory uses, and with ground signs in a retail use district; and

WHEREAS, the applicant contends that the site of the proposed gasoline station facility is part of a twenty acre plot which was rezoned from residence to retail use on April 29, 1954 so as to permit the development of a modern retail shopping center; that the site plan of the proposed shopping center shows the proposed retail shopping center with accessory parking for upwards of 1,000 cars and with a proposed gasoline service station; that the shopping center and accessory parking are in juxtaposition with the proposed gas station; that plans for the non-conforming use of the gas station have been filed separately with the Department of Buildings in order to obtain the denial of the Borough Superintendent, which is prerequisite to consideration by the Board for a zoning variance; that the proposed gas station and accessory uses would be integrated with the proposed retail shopping center in design, in progress of construction and in operation; that the owner would be willing to consent to the imposition of a condition that the proposed gas station be built and maintained simultaneously with the proposed retail shopping center, that is, no shopping center, no gasoline service station, and that no Certificate of Occupancy shall be issued until the City acquires title to the portion of the premises required for the proposed widening of Bell Boulevard; and

WHEREAS, the applicant further contends that irrespective of the use of the subject premises, motor vehicle traffic on Bell Boulevard will be greatly increased because of the construction of the proposed Throggs Neck Bridge, the widening of Bell Boulevard, the large scale residential development of the vacant areas in this vicinity and the construction of the retail shopping center adjoining the subject premises to serve the large scale residential development; that in view of the foregoing, the proposed gas station would not create the automobile traffic—it would merely serve it; that the character of the area in the vicinity of the site will be partly residential and partly commercial; that the commercial impact on the nearby properties zoned for residence use will exist irrespective of the use of the subject premises; that the proposed gas station would be harmonious with the proposed retail shopping center in that it would provide retail automobile service facilities, such as lubrications, non-automatic auto wash and minor repairs with hands tools only, at a site uniquely located for the convenience of the patrons of the retail shopping center; that there is an economic demand for the proposed development of the subject premises as evidenced by the willingness of a major gasoline company to enter into a long term lease of the premises if it is developed substantially in accordance with the proposed plans; and

WHEREAS, the applicant states that the present owner has held title to the property since January 4, 1946; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e and f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7 e and f for a term of fifteen years to permit the use of the premises as proposed as a gasoline service station and lawful acces-

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sory uses substantially as proposed and as indicated on plans filed with this application marked "Received May 13, 1958", 3 sheets, and "October 1, 1958", 2 sheets, *on condition* that all uses that may exist on the premises shall be removed and the premises shall be constructed simultaneously with the shopping centre as proposed, and maintained substantially as proposed; that the front line of the premises shall be the mapped line as proposed; that the accessory building shall be of the design and location as indicated, without cellar, and in all other respects shall comply with the requirements of the Building Code and shall be faced on all four sides with face brick; that planting areas shall be maintained where shown, with suitable planting material and properly protected with curbing not less than six inches in width and eight inches in depth; that retaining walls shall be constructed where required due to the grades and at the general grade line there shall be a woven wire fence of the chain link type not less than five feet six inches in height, including a masonry base which may be omitted where the retaining wall serves such purpose; that suitable terminating posts shall be erected and maintained at the lot lines; that pumps shall be a low approved type erected not nearer than fifteen feet to the street building line, where shown; that there shall be no canopy over pumps as shown; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that curb cuts shall be restricted to five to Bell Boulevard, where shown, each not over thirty feet in width and no curb cuts nearer than five feet to a side lot line as prolonged; that signs shall be restricted to permanent signs attached to the front facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection at either end of the plot of a post standard for supporting a sign, which may be illuminated advertising only the brand of gasoline on sale and permitting such signs to extend beyond the building line for a distance of not more than four feet; that entrance to the adjoining property under the same ownership, to be occupied as a shopping center, may be permitted as shown with ramp as may be necessary to equalize the grades; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, for a similar term, there may be minor repairing for adjustments with hand tools only maintained solely within the accessory building; that under Section 7h, for a similar term, there may be parking of cars awaiting to be serviced; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

564-58-A

APPLICANT—Paul Friedman, for Cord Meyer Development Co., owner.

SUBJECT—Application September 29, 1958—filed pursuant to section 35, of the General City Law re use of portion of premises in bed of a mapped Street—proposed widening of Bell Boulevard.

PREMISES AFFECTED—23-50 Bell Boulevard, west side, 363.05 feet south of 23rd Avenue, Block 5900, Lot 100, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated September 11, 1958, on N.B. Applic. 576/58, reads:

"3—Use of portion of premises in a bed of mapped street for egress and ingress is contrary to Sec. 35 General City Law."

and

WHEREAS, the applicant states that the premises consist of a lot 327.85 feet front by 84.87 feet and 137.79 feet irregular in depth, located in a retail use, F area, class 1½ height district, now vacant, proposed to be used and occupied as a gasoline service station, lubritorium, car washing, auto repairs with hand tools, office, sales, storage of auto accessories and parking of more than 5 motor vehicles waiting to be serviced and including the erection of a ground sign, as fully described in application filed for zoning variance under Calendar Number 296-58-BZ; and

WHEREAS, the applicant states that the final map of the Borough of Queens indicates that Bell Boulevard between 23rd and 26th Avenues at a width of 85 feet; that the City's title to the land exists only in the old road about 50 feet in width, which is dedicated to public use; that there are no condemnation proceedings pending for the acquisition to the portion required for the widening; that the Board of Estimate on January 14, 1954 under Calendar No. 117, adopted an agreement, dated December 10, 1953, between the Cord Meyer Development Company and the City of New York, in which the Cord Meyer Development Company agreed to cede to the City the portion of 26th Avenue and Bell Boulevard in front of the area in question as shown on Alt. Map #3613, when requested to do so by the President of the Borough of Queens, after the commencement of construction; and

WHEREAS, the applicant states that it is proposed to erect a gasoline service station with customary accessory uses and a ground sign in accordance with plans filed with this application; that the proposed accessory building and all fencing and landscaping will be confined to the portion of the premises which is not within the bed of the mapped street widening; that the portion of the premises within the mapped street widening will be unbuilt upon and will not be used except for the proposed curb cut and entrances to the proposed gasoline service station; and

WHEREAS, the applicant contends that in view of the nature of the proposed use the pending agreement between the Cord Meyer Development Company and the City to cede the portion of the premises within the bed of Bell Boulevard; that the granting of this application will not increase the cost of widening Bell Boulevard as shown on the City Map, nor will it tend to cause any change in the official map; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions; and

WHEREAS, the applicant states that such portion of his property as is within the bed of the mapped street will be ceded to the city.

Resolved, that the decision of the Borough Superintendent, acting on NB App. 576-58, Objection No. 3 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit such portion of the premises as are in the bed of a mapped street to be used as an apron for access to the station during the term or until such time when such portion of the premises is acquired by the City of New York for street widening such portion of the apron and curbing shall be moved back so as to provide the required sidewalk and curbing and curb cuts as permitted in resolution adopted this day under Cal. No. 296-58-BZ *on condition* that the requirements thereof shall be complied with.

421-58-BZ

APPLICANT—Department of Public Works, Albert B. Bauer, for City of New York, owner.

SUBJECT—Application July 14, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a Class 1½ height district, the erection of an eight (8) story building with less than the required setbacks on the upper floors, thereby exceeding the permitted height.

PREMISES AFFECTED—205-235 East 20th Street, north

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side, 75 feet, east of 3rd Avenue, Block 901, Lots 6, 9, 14, 40, 41, 42, 43, 44, Borough of Manhattan.

APPEARANCES—

For Applicant: M. C. Kupfer for Department of Public Works and C. Ralph Fletcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 20th Street and East 21st Street are in local retail and retail use, B area, class 1½ height districts; Second Avenue and Third Avenue are in a local retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 19, 1958 acting on N.B. Applic. No. 53-58, reads:

"1. Bldg. exceeds height limits on 7th & 8th stories on E. 20 St.—Sec. 9c Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 334.98 feet frontage by 183.95 feet in depth; that it is proposed to construct a fireproof building, eight stories in height; and

WHEREAS, the applicant states that on the 20th Street front the building rises vertically to the height of the 8th floor without the setback required in a class 1½ height district; that the frontage allowable under the former ruling is 134 feet on a base line at elevation 85.96 feet with respect to first floor elevation 0.0 feet; that the frontage occupied without setback at the 7th floor to coping is 184.25 feet from elevation 85.96 feet to elevation 105.96 feet, producing an excess vertical area of 1005 square feet; that this excess vertical area is required to provide much needed space for the Medical Bureau on the 7th floor and the laboratories on the 8th floor; that the Board's attention is called to the frontage on East 20th Street where, for a distance of 151 feet 8 inches from the west property line and for the full depth to the rear yard line, the building rises only one story above the mean sidewalk elevation 0.96 to the Muster Deck Elevation 31.0; that this gratuitously provides a setback which affords air and light for the third, fourth, fifth, sixth, seventh and eighth floors of the proposed structure and the adjoining structures to the north and west of the property line as well as property on the south side of East 20th Street; and

WHEREAS, the applicant states that the present owner has held title to the property since May, 1928 and that the assessed valuation of land is \$108,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the dormer permission applied on the full width of the proposed 8 story building substantially permits the height as proposed; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to height on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the height district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21, to permit a variance as to height as proposed and indicated on plans filed with this application marked, "Received July 14, 1958", one sheet, and "October 27, 1958", 4 sheets, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

443-58-BZ

APPLICANT—Leonard F. Rothkrug, for Meadow Gold Products Corporation, owner.

SUBJECT—Application July 22, 1958—decision of the Borough Superintendent, under section 19A subsection j of the Zoning Resolution, to permit in an unrestricted use, A area district, a voluntary loading berth to be used in conjunction with the existing Ice Cream manufacturing plant, less than 25 feet from the intersection.

PREMISES AFFECTED—775-779 Kent Avenue, southeast corner of Little Nassau Street, Block 1884, Lot 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958, after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Little Nassau Street, Kent Avenue, Flushing Avenue and Park Avenue are in an unrestricted use; A area and class 1½ height district; that there is no pending petition at the City Planning Commission; and

WHEREAS, the decision of the Borough Superintendent, dated July 8, 1958, acting on B. N. Applic. 477-58, reads:

"1—Proposed voluntary off-street loading berth located within 25 feet of the intersection of Kent Ave. and Little Nassau St. is contrary to the Zoning Resolution Art IV, Sect. 19-A(i)".

and

WHEREAS, the applicant states that the premises consist of a plot 73 feet 6 inches frontage, by 125 feet in depth, irregular in area, on which is located a four story building with one and two story extensions, erected prior to 1906, the earliest record in the Department of Buildings being a 1906 alteration application, used and occupied by the owner in accordance with Certificate of Occupancy #69036 issued November 29, 1932 for ice-cream manufacturing, storage and packing; that it is proposed to locate a voluntary off-street loading berth on Little Nassau Street, 11 feet 5 inches west of its intersection with Kent Avenue; and

WHEREAS, the applicant contends that the proposed loading berth would be permitted if it was a required loading berth under the Zoning Resolution; that although the loading berth is not required by the Zoning Resolution it is required by the Department of Health under rules relating to treatment of milk products; that Little Nassau Street is one of the shortest streets in the City, intersecting only Kent Avenue and Taaffe Place; that the street is at a dead end within this tax block so that the location of the proposed off-street loading berth will not interfere with any through traffic; that the entire frontage along the south side of Little Nassau Street between its intersection with Kent Avenue and its termination is under the ownership of this same owner and the tax lots 57 and 59 at the termination of Little Nassau Street is likewise under the ownership of this same owner; that similarly, 75 feet on the north side of Little Nassau Street is owned by the owner herein; that there is no pedestrian traffic along Little Nassau Street except in conjunction with the subject business and the one other business building fronting on Little Nassau Street; that the location of the loading berth will not interfere with any ordinary pedestrian traffic; that the owner's engineer has studied the structure and there is no other possible location for the proposed loading berth which would not entail a complete alteration of existing equipment at an excessive cost; that the owner has been at these premises since 1932 and could have erected

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the loading berth at any time prior to 1952 without a variance; and

WHEREAS, the applicant states that the present owner has held title to the property since November 5, 1931; that the assessed valuation of the land is \$29,000 and of the building \$286,000, making a total of \$315,000; that the building was erected prior to 1906; and

WHEREAS, the applicant states that proposed loading berth is not required but is being voluntarily installed; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 19A, Subdivision j of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 19A, Subdivision j, to permit the loading berth in the location as shown on plans filed with this application marked "Received July 22, 1958," 5 sheets, and to permit the dimensions of the loading berth, as proposed and shown, and that in all other respects the loading berth shall comply with all laws, rules and regulations applicable thereto; that the curb cut may be of the width proposed and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

458-58-BZ

APPLICANT—Jacob W. Sherman, for Leonard Schorr, owner, Jacob Barash, Lessee.

SUBJECT—Application July 28, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a local retail use district, the premises to be occupied for parking and storage of more than five (5) motor vehicles for a term of five (5) years.

PREMISES AFFECTED—850-860 Myrtle Avenue, south side, 247 feet, 9 inches east of Marcy Avenue, Block 1755, Lots 20-22-24, Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob W. Sherman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Myrtle Avenue, Marcy Avenue and Tompkins Avenue are in a local retail use, C area, class 1 height district; Vernon Avenue is in local retail and residence use, C area, class 1 height district; that prior to this time it was in a business use, C area, class 1 height district; that there are no actions pending for change in zoning; and

WHEREAS, the decision of the Borough Superintendent, dated July 23, 1958 acting on Alt. Applic. No. 2030-58, reads:

"1. Proposed parking and storage of more than 5 motor vehicles in a local retail use district is contrary to Art. II Sec. 4c of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 118.6 feet frontage by 100 feet in depth, and vacant; that it is proposed to remove accumulation of debris from the lot, which will be properly leveled, graded and paved with broken stone or cinders, finished with a suitable binder; that the lot will be enclosed with a woven wire fence, provided with suitable bumpers and two curb cuts, each 10 feet in length; that a frame structure not larger than 10 feet by 10 feet will be erected as an attendant's shelter; and

WHEREAS, the applicant states that the present condition of the street, with respect to the age and use of adjoining

buildings, together with the unsightly elevated structure above, make it unlikely that any retail stores will be erected herein in the near future; that the lot was formerly occupied by three old law tenements, two of which were demolished 21 years ago, and one, 9 years ago; that the vacant ground, used as a neighborhood dump for garbage and debris, is now a health and fire hazard; and

WHEREAS, the applicant contends that the area will not be adversely affected, but rather improved by the proposed use; that the creation of this parking space will remove many of the street-parked cars from this congested area and ease the flow of traffic; and

WHEREAS, the applicant states that the present owner has held title to the property since May 3, 1955 and that the assessed valuation of land is \$12,000; and

WHEREAS, this was laid over for inspection by a committee of the Board and the committee is familiar with the site and recommends that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for parking and storage of motor vehicles as proposed and as indicated on plans filed with this application marked "Received July 28, 1958", 2 sheets, *on condition* that all buildings and uses now on the premise shall be removed and the plot shall be levelled substantially to the grade of Myrtle Avenue and shall be constructed and arranged as indicated on plans above cited; that on all lot lines there shall be a woven wire fence of the chain link type erected on a masonry base constructed and maintained except for two openings to Myrtle Avenue for entrance and exit not exceeding ten feet in width; that such openings shall be fitted with gates of similar construction as the fence and with curb cuts opposite not exceeding ten feet; that against such fence there shall be suitable bumpers maintained for protection thereto; that the balance of the plot shall be levelled substantially to the grade of Myrtle Avenue and surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that during the term of this variance the premises shall be used for no other use and no building shall be erected thereon except one building not over one hundred square feet in area and one story in height, located near an entrance and to be used solely as an office and shelter for an attendant; that signs shall be restricted to a sign at the entrance advertising the parking and storage use and the rates and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet, shall not be illuminated and shall not extend beyond the building line; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 3:30 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 25, 1958,
2 P. M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

408-49-SM

APPLICANT—Firedoor Corp. of America & Spartan Steel Products, owners.

SUBJECT—Application reopened June 10, 1958 for amendment of resolution as to change of ownership—re World 3 Hour Hollow Metal Fire Door (panel and flush type); previously approved.

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APPEARANCES—

For Applicant: Janet Cooperman.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 408-49-SM

Subject: Amendment to resolution as to change of ownership.

World Steel Door submitted an affidavit dated August 9, 1957, which stated that all assets of the World Steel Door were purchased by the Firedoor Corporation of America and Spartan Steel Products and requested that the resolution adopted October 25, 1949, under Calendar Number 408-49-SM be reopened and amended so as to show the change of ownership. The application was reopened by a vote of the Board June 10, 1958.

Recommendation

The Committee on Test recommends that the resolution adopted October 25, 1949 under Calendar Number 408-49-SM be amended so as to show a change of ownership; the new owners being Firedoor Corporation of America and Spartan Steel Products Corp., on condition that the requirements of the resolution adopted October 25, 1949 under Calendar Number 408-49-SM be complied with.

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.

GEORGE F. SKLENARIK,

Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 25, 1949 in accordance with the above report.

881-53-SA

APPLICANT—Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., owner.

SUBJECT—Application December 10, 1953—Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive, approval of.

APPEARANCES—

For Applicant: William C. R. Lenge.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper..... 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 881-53-SA

Subject: Potter VSR Waterflow Detector, 2½ to 8 inch sizes inclusive.

Acme Fire Alarm Co., Inc., for Potter Electric Signal & Mfg. Co., St. Louis, Mo., filed December 10, 1953 an application with the Board of Standards and Appeals for approval of the Potter VSR Waterflow Detector 2½ to 8 inch sizes inclusive under the provisions, Section C26-1366.0 Administrative Code.

Purpose

A waterflow detector for sprinkler systems.

Description

This device is a waterflow indicator of the paddle type made in 2½, 3, 3½, 4, 5, 6, and 8 inch sizes. It consists of a stainless steel disc or paddle, an extension rod with flexible sleeve and hinging arrangement, a bronze pipe saddle with U bolt, three electrical switches mounted in an enclosure attached to the pipe saddle, the necessary wiring and adjustment screw. It is also equipped with a pneumatic retarding feature arranged to retard the alarm circuit so as not to respond to water surges.

The Waterflow Detector is installed in sprinkler pipe line by inserting the flexible paddle through a 2 inch diameter opening which has been cut in the pipe by means of a hole saw. The assembled device is clamped to the piping by means of a U bolt which enters the bolt holes in the saddle. A rubber gasket is used for a tight joint.

In the event a flow of water from the sprinklers this device when properly connected will actuate an electric alarm.

It is rated at 50 watts, 6 to 120 volts, AC or DC.

Inspection and Test

A Waterflow Detector was inspected at the premises of the Acme Fire Alarm Co. by Ass't. Engr. G. F. Sklenarik, Committee on Test and Supervising Electrical Inspector R. C. Lent of the Fire Department.

The Potter VSR Waterflow Detector was tested and approved by Factory Mutual Laboratories and the Underwriters. The tests are on file and are part of the record.

Recommendation

On the basis of the inspection and the data submitted by the applicant, The Committee on Test recommends the approval of the Potter VSR Waterflow Detector 2½ to 8 inch sizes when installed in accordance with this report and Section C26-1366 of the Administrative Code and the Sprinkler Rules of the Board and when connected to approved closed circuit sprinkler alarm control boards provided that the flow detector shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 881-53-SA."

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Ass't. Engr.,

GEORGE F. SKLENARIK,

Ass't. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

331-45-SA

APPLICANT—Peter S. Gluck, for Fostoria Pressed Steel Corporation, owner.

SUBJECT—Application for consideration—reopening for report as to extension of use—re Fostoria Even Ray System, infra red heating equipment; previously approved.

APPEARANCES—

For Applicant: Peter S. Gluck.

ACTION OF BOARD—Application reopened for test and report as to additional use of device.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

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211-50-SM

APPLICANT—A. Pollera & Sons, owner-manufacturer.
SUBJECT—Application for consideration—reopening for test and report—re A. Pollera & Sons Concrete Blocks; previously approved.

APPEARANCES—

For Applicant: Dominic Pollera.

ACTION OF BOARD—Application reopened for test and report as to additional sized blocks.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

900-50-SM—Vol. II

APPLICANT—Asbestospray Corporation, owner.
SUBJECT—Application for consideration—reopening for test and report as to additional use of Asbestospray—re Asbestospray, acoustical and thermal insulation, fire retardant of steel floors and beams; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for report as to additional uses of Asbestospray.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

596-56-SA

APPLICANT—Vega Industries, Inc., owner.
SUBJECT—Application for consideration—reopening for amendment of resolution as to additional models and use—re Comforteer Gas-fired room or Space Heater, Unvented, Models 1125-S, 118-S, 1225-S, 135-S, 1112-W and C; previously approved.

APPEARANCES—

For Applicant: Joseph A. Amao.

ACTION OF BOARD—Application reopened for test and report as to amendment for additional models and uses.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating..... 1

445-58-SA

APPLICANT—Peter S. Gluck for Earl Scheib Paint and Supply Co., owner.
SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

APPEARANCES—

For Applicant: Peter S. Gluck.

ACTION OF BOARD—Laid over to December 2, 1958, at 2 P. M.; referred to examiner for revision.

47-33-S—Vol. II

APPLICANT—Bernard J. Sheftman for Tryst Holding Corporation, owner.

SUBJECT—Application reopened June 10, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent re: change of exits.

PREMISES AFFECTED—434-442 East 166th Street, south side, 196-23 feet west of Washington Avenue, Block 2387, Lot 27, Borough of The Bronx.

APPEARANCES—

For Applicant: Bernard J. Sheftman.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 5, 1958 on B.N. Applic. 782/57 reads:

“1—The change in exits is contrary to B&A Resolution #47-33-S.”

and

WHEREAS, the applicant states that the building is 3 stories, 38 feet in height, 111 feet front by 59 feet in depth, class 3 construction, erected 1924, located in an unrestricted use, B area, class 1½ height district, and used and occupied since 1933: 1st floor—manufacturing quilting, 8 persons; 2nd floor—manufacturing woodwork, 8 persons; 3rd floor—manufacturing woodwork, 8 persons; that no change in use or occupancy is now proposed; that the building is equipped with an approved standpipe system, one-source sprinkler system throughout, with central office connection; that there are two interior fireproof enclosed stairways, equipped with metal clad doors, one of which leads to roof bulkhead; and

WHEREAS, the Board on November 21, 1933, under Calendar Number 47-33-S, modified Objection 1, issued by the Borough Superintendent, January 19, 1933 on N.B. Applic. 1966/24 as to compliance with the Labor Law for exits, on condition that the 3 story building be separated from the 4 story building on all floors with brick wall, equipped with underwriter's automatic fire doors at all openings; that the building be equipped with an approved one-source sprinkler system; that the court area between 3 story building and the 4 story building including the yard at the south east corner of the property remain open, unobstructed at all times; that there be provided a gate in a fence on the southerly lot line, leading to the passageway in the property of 437 East 165th Street, which passageway shall be opened and unobstructed, available for exit at all times; that consent from the owner of this property 437 East 165th Street be obtained and filed with the Board and with the Commissioner of Buildings; that all stairways shall be carried to the roof and completely enclosed with fire retarded material; that all doors therein be fireproof self-closing and opened in the direction of exits; that all requirements of the Labor Law be complied with in all respects other than as herein modified; and

WHEREAS, the applicant states that it is now proposed to substitute a new easement and fireproof exit passageway for the previous easement accepted by the Board, December 12, 1933, under Calendar Number 47-33-S, Volume I; and

WHEREAS, the applicant states that the building through which the passageway is to be enclosed, is a sprinklered building equipped with central station alarm; that the passage wall will be constructed of 2 by 4 wood studs, 16 inches on center, covered on both sides with ⅝ inch Fire Code #60, with joints pointed and taped; that the ceiling of the passageway has sprinklers and the outside wall is a 12 inch brick wall; and

WHEREAS, the applicant contends that the passageway as proposed will create adequate exit; that it is left to the Board for its discretion as to whether it prefers the passageway proposed or the new easement through premises 1071 Washington Avenue; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 12, 1933, under Volume I, by adding thereto:

“that a second means of exit may be by means of the fireproof passage through the adjoining building at 1071 Washington Avenue as proposed and indicated on plans filed with this appeal marked, ‘Received May 26, 1958,’

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1 sheet, that the primary means of exit shall be maintained as proposed and shown; that in all other respects the building and occupancy shall comply with the requirements of the resolution above cited; that the standpipe and sprinkler systems and water flow alarm system with connection to an approved central station shall be maintained; that the building shall not be increased in height or area; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

552-37-A—Vol. IV

APPLICANT—Wechsler and Schimenti, for Russell B. Booth, owner.

SUBJECT—Application reopened May 28, 1957 as Vol. IV—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—187-12 Linden Boulevard, south side, 115.94 feet east of Montauk Street, Block 12439, Lot 15, St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Peter F. Licari and Edna M. Booth.

For Administration: Thomas J. Conboy, Sr. Institutional Inspector.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 23, 1957, on Alt. Applic. 363-57, reads:

"1—The proposed rearrangement of partitions and increase in number of occupants on 2nd floor, differs from the plans as approved by the Board on 6/15/51 Re: Cal. 552/37 A. This application should be submitted to the Board for its consideration."

and

WHEREAS, the applicant states that the building is 2 stories, 23 feet in height, 36 feet front by 84.21 feet in depth at 1st floor, 36 feet front by 49 feet in depth at 2nd floor, of class 3 construction, erected 1931, located in a retail use, D area, class 1 height district, and used and occupied as follows: Cellar—storage and boiler room; 1st floor—nursing home, 18 persons; 2nd floor—nursing home, 12 persons pursuant to Certificate of Occupancy No. Q74410 issued July 16, 1951 against Alt. Applic. 731-51; and

WHEREAS, the applicant states that it is now proposed to decrease the number of occupants on the 1st floor to 16 persons and increase the 2nd floor to 15 persons, making a total of 31 beds and to have 7 employees on the premises; that the building will be equipped with an approved interior fire alarm system; that there is one 3 foot wide interior wood stairs enclosed in partitions of studs, lath and plaster, equipped with one hour fireproof self-closing doors and provided with a ladder and scuttle to roof and one fire escape on the rear, extending to roof by stair with egress to street through court; and

WHEREAS, the applicant states that the present legal use to the premises was established pursuant to variance granted by the Board, March 28, 1939, as amended June 5, 1951; and

WHEREAS, the applicant states that the purpose of this application is to comply to the new Code of the Department of Hospitals; that it is proposed to retain the existing use in the brick building and the extension as follows: Cellar—storage and boiler room; 1st floor—nursing home, 16 beds; 2nd floor—nursing home, 15 beds, for a total of 31 beds and 7 employees; that a new sprinkler system will be installed in the existing stairs and corridors; and

WHEREAS, the applicant contends that amended plans will comply with the requirements of the Department of Hospitals, it is therefore, requested that this appeal be granted; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and whereas the following letter was received from the Department of Hospitals, dated November 25, 1958, by the Chief of the Division of Institutional Inspection and reads:

"Reference is made to your letter, dated November 7, 1958, in which you state that applicant has asked for permission to rearrange partitions and increase the number of occupants in this Home.

"The Home was licensed on December 24, 1957 for 25 beds, at which time it was in full compliance with the Hospital Code and Regulations.

"Plans submitted for proposed changes are satisfactory to this Department."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 28, 1958, under Volume I as thereafter *amended* by resolution dated June 5, 1951, under Volume II, by adding thereto:

"that the proposed arrangement of partitions and increase in number of occupants in the second floor as now proposed may be permitted as shown on plans filed with this appeal marked, 'Received October 1, 1958,' 8 sheets; that in all other respects the resolution above cited shall be complied with where not inconsistent with this amendment; that the approved interior fire alarm system shall be maintained; and that a sprinkler system, as permitted by the Multiple Dwelling Law, shall be installed and maintained within the stairhall and corridors throughout the height of the building."

1194-38-A

APPLICANT—The Riverside School, Inc., owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—40 Riverside Drive, northeast corner of West 76th Street, Block 1185, Lot 49, Borough of Manhattan.

APPEARANCES—

For Applicant: Paul T. Woalsen.

ACTION OF BOARD—Appeal reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 21, 1939, on certain conditions; and

WHEREAS, the resolution was amended on November 7, 1945; and

WHEREAS, the term of variance was extended on February 8, 1949; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 21, 1939, as thereafter *amended* by resolutions adopted through February 8, 1949, only so far as it refers to the term of variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision for a term of 10 years from the date of this amended resolution to permit; that other than as herein amended

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the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within six months from the date of this *amended* resolution." (Alt. 1680/45)

79-58-A

APPLICANT—Samuel Rosenblum, for Jules Greene, owner.

SUBJECT—Application February 14, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 Construction, exits, interior stairs, etc.

PREMISES AFFECTED—18 Greene Street, east side, 197 feet north of Canal Street, Block 230, Lot 16, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Jules Geene.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent dated February 5, 1958, on Alt. Applic. 143/57, reads:

"1. In cellar provide at least an engineer's ladder to street.

2. On the 1st floor provide a 2nd means of egress remote from the other.

3. The interior stair must be enclosed in one hour fire retarding partitions and all openings protected by one hour F.P.S.C. doors that swing in the direction of egress.

4. Stair must extend to roof through a bulk head at roof level."

and

WHEREAS, the applicant states that the premises consist of a lot 25 feet by 100 feet, located in unrestricted use, B area, class 2 height district, upon which there exists a 6 stories, 78 feet high, class 3 constructed building, 25 feet by 95 feet on the 1st floor and 25 feet by 90 feet on all upper floors, erected 1882, used and occupied without a certificate of occupancy; cellar—storage, no occupants, 1st floor—cutting metal sheets, 1 person; 2nd floor—office and storage of wood letters, 1 person; 3rd floor—manufacturing of wax ornaments, 8 persons; 4th floor—manufacturing of wax ornamental fruits, 2 persons; 5th and 6th floors now vacant; that the use and occupancy for cellar, 1st, 2nd, 3rd and 4th floors will not change; that the 5th and 6th floors will not be occupied; and

WHEREAS, the Board accepted present exits under Calendar Number 427-26-S on condition that a horizontal exit with 16 Greene Street will be provided on all floors; that said horizontal exit no longer exists; that all tenants now occupy 18 Greene Street only; and

WHEREAS, the applicant states that the exits consist of one interior wood stair and a front Labor Law type fire escape; that the stair enclosure is a wood stud partitions covered on the stair side with T. & G. boards; that the opposite side with ½ inch plaster boards and 26 gauge metal; that there is also a 45° fire escape on the front of the building with 2 feet by 6 feet fireproof self-closing doors and fireproof openings; that this fire escape and the counterbalanced stair to street complies with Section 274 of the Labor Law; and

WHEREAS, the applicant contends that the cellar is not used as a factory, but for storage; that the occupancy of other floors are very limited and therefore requests that the board grant this appeal; and

WHEREAS, the premises was inspected by a committee of the Board; and the proposal of the applicant has been modified and now requests that the application be granted under certain conditions affecting only the first 4-floors.

Resolved, that the decision of the Borough Superintendent, dated February 5, 1958, acting on Alt. Applic. 143/57, Objection No. 1 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a ladder to the cellar through a new trap door shall be provided as indicated on revised plans marked, "Received November 20, 1958," 2 sheets; as to Objection Nos. 2 and 3, that the interior stairs shall be enclosed in one-hour fire retarded partition up through and including the fourth floor; self-closing doors swinging in the direction of exit at all openings; that as to Objection No. 4, the stairs shall remain for access to the fifth and sixth stories and to the roof; that the occupancy of the building shall be as proposed, namely, limited to storage of idle machinery in the cellar and first floor and cutting of steel as proposed and the use of the second and third floors by the owner of the building for office purposes and minor storage; that the 45 degree fire escape on the front of the building shall be maintained with counterbalanced stair to street; that the doors connecting this building to the next building east shall be discontinued on the several floors and blocked up with approved masonry; that the building shall not be increased in height or area; and that in all other respects shall comply with all laws, rules and regulations applicable thereto.

416-58-A

APPLICANT—Leonard F. Rothkrug, for Frank Debski, owner.

SUBJECT—Application June 26, 1958—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 172 of the Multiple Dwelling Law re minimum dimensions of yards, etc.

PREMISES AFFECTED—45 University Place, east side, 84 feet north of East 9th Street, Block 561, Lot 3, Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 23, 1958, on Alt. Applic. 1312/57, reads:

"A-4 show yard as per sec. 172 M.D.L."

and

WHEREAS, the applicant states that the building is 5 stories, 49 feet height, 27 feet front by 81 feet irregular in depth at 1st floor, 27 feet front by 62 feet 6 inches irregular in depth at typical floor, of class 3 construction, erected prior to 1902, located on a lot 27 feet front by 81 feet irregular in depth, located in a retail use, C area, class 1¼ height district, and used and occupied since prior to 1940: Cellar—ordinary storage; 1st floor—store, 3 persons; 2nd floor—office, 10 persons; 3rd floor—5 persons; 4th floor—1 family; 5th floor—1 family; that it is now proposed to be used and occupied; cellar—ordinary storage; 1st floor—store, 3 persons; 2nd floor—office, 10 persons; 3rd floor—dwelling, 1 family; 4th floor—dwelling, 1 family; 5th floor—dwelling, 1 family; that no certificate of occupancy has been issued for the existing use or occupancy; that the building is provided with one 2 foot 6 inch wide interior wood stairs enclosed in fire retarded partitions, equipped with fireproof self-closing door leading to 3rd floor; that a bulkhead to roof is provided; that there is one fire escape on the front, extending to street by ladder; and

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WHEREAS, the applicant states that it is proposed to convert the 3rd story from office to 1 family dwelling, thus converting the building to a Multiple Dwelling classification; that the building will be altered to conform with all the requirements of the Multiple Dwelling Law, except as to the requirement for rear yard; that the interior stairway will be continued to a new bulkhead; that there is a 2 story extension at the rear extending to the rear lot line; that this extension will be provided with a 3 foot 6 inch high parapet rail; that the 3rd story has no extension so that there is a rear yard at the 3rd story level; and

WHEREAS, the applicant contends that in view of the fact that all 3 upper stories have a rear yard 18 feet 6 inches in depth and conforms to the Multiple Dwelling Laws; that Section 172 provides that the bottom of a yard may be as high but not above the 2nd tier of beams; that the Department of Buildings has interpreted this section to permit conversion of this building if the owner fills in and eliminates the cellar; that if the cellar is eliminated then the 2nd tier of beams is at the level of the 3rd floor and the rear yard requirements are satisfied; that it would be a unnecessary hardship to require the owner to fill in the cellar without any benefit to the occupants of the building as to light, air or ventilation; that Section 27 Paragraph 2 of the Multiple Dwelling Law provides for newly erected Multiple Dwelling, so that every yard may begin at the level of the floor of the lowest story on which there is any living room opening provided it never begins more than 23 feet above the curb; that the existing rear yard is only 22 feet 6 inches in height; that therefore if the existing building was entirely demolished it could be rebuilt exactly as proposed herein and there would be no rear yard objection; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 1312/57, Objection No. A-4, be and it hereby is *modified* under the powers vested in the Board by Section 310 of the Multiple Dwelling Law, and that the appeal be and it hereby is *granted on condition* that there shall be no livingroom below the rear extension of the building; that the living rooms on the third, fourth and fifth floors shall be as shown, without any further subdivision; that the building shall not be increased in height or area and in all other respects shall comply with the requirements of the Multiple Dwelling Law and all other laws, rules and regulations applicable thereto.

337-52-A—Vol. II

APPLICANT—Irrving P. Marks, for Bernard-Herman & Minnie Feuer, owners.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from a decision of the Borough Superintendent; previously granted on condition.

PREMISES AFFECTED—115-49 118th Street, east side, 240 feet north of Sutter Avenue, Block 11711, Lots 18 and 62, South Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Irving P. Marks.

ACTION OF BOARD—Appeal reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

873-57-A

APPLICANT—Charles Giorlando, owner.

SUBJECT—Application November 26, 1957—filed pursuant to section 310 of the Multiple Dwelling Law for variation of section 177, subdivision 3 of the Multiple Dwelling Law minimum dimensions of Yard; converted dwelling.

PREMISES AFFECTED—1358-1360 Clove Road, west side, 84.10 feet south of Schoharie Street, Block 655, Lot 9, West New Brighton, Borough of Richmond.

ACTION OF BOARD—Appeal withdrawn at request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

50-58-A

APPLICANT—Todd Shipyards Corporation, owner.

SUBJECT—Application February 7, 1958—Appeal from an order of the Fire Commissioner re storage and use of kerosene heater.

PREMISES AFFECTED—1-75 Beard Street, southwest side, 733 feet, northwest of Otsego Street and 1-30 Hal-leck Street, south side, 415 feet southeast of Otsego Street, Block 612, Lot 130, Borough of Brooklyn.

ACTION OF BOARD—Appeal withdrawn at request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.

SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.

PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem and Gerald Butterfield.

ACTION OF BOARD—Laid over to December 16, 1958, at 2 P.M. for inspection and decision; hearing closed.

166-58-A

APPLICANT—Robert Teichman, for E and A Building Corp., owner; Fisher Scientific Co., lessee.

SUBJECT—Application March 19, 1958—Appeal from an order and a decision of the Fire Commissioner re packaging of volatile and inflammable oils in Glass Bottles; capacity of bottles not in accordance with Administrative Code Requirements.

PREMISES AFFECTED—75-89 Morton Street, 633-635 Greenwich Street, northeast corner and 99-101 Barrow Street, Block 603, Lot 49, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Lieut. John Manfredi, Fire Dept.

ACTION OF BOARD—Laid over to December 9, 1958, at 2 P.M., no appearance for applicant; to be notified.

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303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commissioner—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

APPEARANCES—

For Applicant: E. Goldstein and G. Bennett.

ACTION OF BOARD—Laid over to December 2, 1958, at 2 P.M., for further consideration.

389-28-BZ—Vol. III

APPLICANT—Herman Kron, for L. B. Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7i and 7A of the Zoning Resolution, to permit in a business use district, the reconstruction and maintenance of a gasoline service station, lubritorium, carwash, auto repairs, office, stock room and toilets, sale of used cars and parking and storage for more than five (5) cars.

PREMISES AFFECTED—2385-2393 Utica Avenue, northeast corner of Avenue S, Block 8511, Lot 12, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III, on September 24, 1957, on certain conditions; and WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 19, 1929, as thereafter *amended* by resolutions adopted through September 24, 1957, by adding thereto:

“that the post standard sign hereinbefore permitted may be moved to the northerly side of the premises on Utica Avenue and an additional similar sign may be erected on Avenue S toward the easterly side of the plot, as now shown on revised plan marked ‘Received November 5, 1958,’ 1 sheet, on condition that in all other respects the requirements of the resolutions above cited shall be complied with; that such signs shall not extend beyond the building line for a distance of more than 4 feet each and shall advertise only the brand of gasoline on sale and such signs may be illuminated.” (N.B. 2377/56)

642-29-BZ—Vol. IV

APPLICANT—Herman Kron, for 49-51 Lexington Avenue, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, the reconstruction of the present gasoline station and extend the use to include lubritorium, motor vehicle repair shop, parking and storage of more than 5 cars and sale of used cars.

PREMISES AFFECTED—137-159 East 98th Street and 2-14 Blake Avenue, southeast corner, Block 3548, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. IV, on February 18, 1958, on certain conditions; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 4, 1930, as thereafter *amended* by resolutions adopted through February 8, 1958, by adding thereto:

“that there may be a post standard erected toward the southerly end of the premises and a similar post standard at the northerly end of the premises, both facing on East 98th Street, each advertising solely the brand of gasoline on sale and permitting such signs to be erected on post standards which may extend not more than 4 feet beyond the building line, as now shown on plan marked ‘Received November 5, 1958,’ 1 sheet; and that in all other respects the requirements of the above resolutions shall be complied with.” (N.B. 31/57)

1212-40-BZ

APPLICANT—Frank Damato, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting partly in a business use and partly in a residence use district, for a term of years, the parking and storage of motor vehicles on vacant portion of premises.

PREMISES AFFECTED—1061-1065 Montgomery Street, north side, 5 feet 3¼ inches west of East New York Avenue and 46-48 Ford Street, Block 1420, Lots 51 and 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Damato.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board April 1, 1951, on certain conditions; and

WHEREAS, the resolution was amended on July 22, 1952; and

WHEREAS, the term of variance was extended from time to time and last extended on December 1, 1953; and

WHEREAS, the applicant requested a further extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 1, 1941, as thereafter *amended* by resolutions adopted through December 1, 1953, only so far as it refers to the term of variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision h for a term of 5 years from the date of this *amended* resolution, to permit.....; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a

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new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution." (N.B. App. 468/52; BN 1544/40.)

263-43-BZ—Vol. II

APPLICANT—Louis Lieberman, for Harry Goldsen, owner; Standard Equipment Company, lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 15, 1958 and obtain a Certificate of Occupancy—re Application decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the change in use of an existing building from a garage to a warehouse.

PREMISES AFFECTED—233-235 Norwood Avenue, east side, 193 feet 11 inches north of Atlantic Avenue, Block 4137, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Lieberman.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on April 15, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 15, 1958, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that work has been completed and signed over by the inspectors of the Building Department but no certificate was issued because the work at the time of completion had expired; that all permits required, including a certificate of occupancy, shall be obtained and all work completed within six months from the date of this amended resolution." (Alt. App. 2179/56)

30-48-BZ—Vol. II

APPLICANT—Adolph Friedel, for Moe Friedel, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i, 7A and 7h of the Zoning Resolution, permitting in a residence and business use district, the reconstruction and extension of existing gasoline service station to include boiler room, lubritorium, auto laundry, motor vehicle repair shop, sale of accessories and office and also the parking and storage of more than five motor vehicles and with curb cuts more than the permitted distance from the intersection.

PREMISES AFFECTED—1701-1725 Bedford Avenue and 109-131 Sullivan Place, northeast corner, Block 1304, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Moe Friedel.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on February 7, 1950, on certain conditions; and

WHEREAS, the resolution was amended from time to time and last amended on June 1, 1955; and

WHEREAS, the term of variance was extended from time to time and last extended on June 10, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 7, 1948, as thereafter amended by resolutions adopted through June 10, 1958, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required including a certificate of occupancy, shall be obtained and all work completed within three months from the date of this amended resolution." (N.B. App. 659/54)

906-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Fisher, owner.

SUBJECT—Application for consideration—reopening for amendment of working drawings—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7A of the Zoning Resolution, permitting in a retail use district, the proposed change of use from parking and storage of motor vehicles to auto showroom, new and used cars, gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage, parking and storage of motor vehicles, proposed show windows, signs, curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—8101-8111 3rd Avenue and 302-312 81st Street, southeast corner, Block 5997, Lot 7 and 11, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Vassalotti.

ACTION OF BOARD—Application reopened and plans approved.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on December 11, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 15, 1958; and

WHEREAS, working drawings, submitted as being in substantial compliance with the Board's resolution, were approved on February 26, 1957; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 11, 1956 to approve amended working drawings marked "Received October 22, 1958," 1 sheet showing a 10 foot rear yard and revised file drawings marked, "Received November 5, 1958," 1 sheet, showing the accessory building set off from the rear lot line for a distance of 10 feet. (N.B. 2186/55)

620-55-BZ

APPLICANT—Fred C. Dahlem, for J. Clarence Davies, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired November 6, 1958—re Application, decision of the Borough Su-

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perintendent; previously granted on condition, under section 7a of the Zoning Resolution, to permit in a business use district, the reconstruction and alteration of an existing gasoline service station, lubritorium, sale of accessories, parking and storage of more than 5 cars and car wash.

PREMISES AFFECTED—5080 Broadway and 501 West 216th Street, northeast corner, Block 2232, Lot 31, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on November 6, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 6, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N. B. App. 87/55)

76-56-BZ

APPLICANT—Lama, Proskauer and Prober, for Sedelle Schulman, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, permitting in a residence use district the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office, sales, parking and storage of motor vehicles and erection and maintenance of a diner.

PREMISES AFFECTED—124-02 to 124-20 (124-10 and 124-20 official) South Conduit Avenue and 150-31 124th Street, southeast corner, Block 11893, Lot 19, Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: James Vassalotti.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on January 21, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 21, 1958, by adding thereto:

“that in the event the owner desires to make minor changes in the requirements as previously referred to in the resolution and plans, such changes may be permitted as follows:

1. That there may be one 35 foot island with five pumps instead of two islands with three pumps each;

2. That curb cuts to South Conduit Boulevard may be located as shown on revised plan, marked ‘Received November 24, 1958,’ 1 sheet;

3. That there may be two additional 550 gallon gasoline storage tanks;

and that in all other respects the requirements of the resolution above cited shall be complied with.” (N.B. 5216/55)

39-57-BZ

APPLICANT—Paul Friedman for Drawwood Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing, non-automatic, minor repairs with hand tools only, office and sale of auto accessories and parking and storage of more than five (5) motor vehicles, with business entrance, signs and show windows, within 75 feet of a residence use district.

PREMISES AFFECTED—2444-2454 86th Street and 2-12 Bay 38th Street, southwest corner, Block 6865, Lot 43, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Levine.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that a new certificate of occupancy, shall be obtained.” (N.B. 2521/56)

914-57-BZ

APPLICANT—Patrick D. Concagh, for Mona Donner, owner; Atlas Bazaar Equipment & Supply Company, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business and retail use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, storage and sale of auto accessories and accessory parking.

PREMISES AFFECTED—3770-3788 Boston Road and 3481-3489 Baychester Avenue, southwest corner, Block 4887, Lot 7, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick D. Concagh.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

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THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 10, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 10, 1958, by adding thereto:

"that in the event the owner desires, minor changes may be permitted as follows: (1) that the lessee of the premises shall be Esso Company; (2) that the number of gasoline pumps may be increased from 2 pumps to 3 pumps on the 2 bases as shown; (3) that the building may be located at the southwest corner of the premises as shown; (4) that the length of the premises may be reduced from 55 feet to 53 feet, 4 inches and reverse the arrangement of the accessory building as shown on revised plans marked 'Received November 6, 1958,' 3 sheets; (5) that in all other respects the resolution above cited shall be complied with; (6) and that additional curb cut may be provided 30 feet in width on Baychester Avenue." (N.B. 1405/57)

148-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Under Section 7c of the Zoning Resolution, to permit in a residence use district, the reconstruction of a present gasoline service station and continue the uses of office, storage and sale of auto accessories, car wash—non automatic, minor auto repairs with hand tools only, lubritorium and the parking of more than five (5) motor vehicles awaiting to be serviced.

PREMISES AFFECTED—3310 Richmond Road, southwest corner of Combs (Hitchcock) Avenue, Block 4328, Lot 6, New Dorp, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 29, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 29, 1958, by adding thereto:

"that in the event the owner desires to install a special type of fence in place of the fence herein required on the interior lot lines, such designed fence may be permitted, as indicated on revised plan, marked 'Received November 7, 1958' 1 sheet; and that posts of such fence shall be dressed spruce with horizontal members of white wood, all kept painted with three coats of white paint; and that in all other respects the resolution above cited shall be complied with." (N.B. 86/58)

924-17-BZ—Vol. II

APPLICANT—Herman Kron, for L.B. Auto Sales, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, permitting in an unrestricted district, and extending partly into a residence district, the erection of a public garage.

PREMISES AFFECTED—396-418 Coney Island Avenue, southwest corner of Caton Avenue, Block 5331, Lots 15, 22 and 28, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

468-27-BZ—Vol. II

APPLICANT—Henry J. Nurick, for Shell Oil Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the acting Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—6414-6420 Ft. Hamilton Parkway and 945-65th Street, northwest corner, Block 5743, Lot 26, Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry J. Nurick.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

320-33-BZ—Vol. II

APPLICANT—Albert Melniker, for Ida Elphand, Esther Radish and Lillian Lader, owners.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Commissioner of Buildings; previously denied, under section 21 of the Zoning Resolution, permitting in a business district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4360 Hylan Boulevard and 4333 Richmond Avenue, northeast corner, Block 5322, Lot 1, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4

Negative: 0

Absent: Vice Chairman Keating 1

374-37-BZ—Vol. III

APPLICANT—James J. Lyons, Jr. & John J. Lynch, for Lucie Blaesius, owner; Kesbec, Inc., lessee.

SUBJECT—Application for consideration—reopening as Vol. III, subject to regular procedure—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7f, 7i and 7h of the Zoning Resolution, to permit in a business use district, the conversion of an existing premises consisting of a carpenter shop, dwelling, 10 car metal garage, tire, battery and ignition service to a gasoline service station, lubritorium, car wash, minor motor repairs, parking and storage of cars.

PREMISES AFFECTED—2165-2175 Southern Boulevard and 820 East 182nd Street, southwest corner, Block 3111, Lot 59, Borough of The Bronx.

MINUTES

APPEARANCES—

For Applicant: James J. Lyons, Jr. and John J. Lynch.
ACTION OF BOARD—Application reopened as Vol. III, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

443-40-BZ—Vol. III

APPLICANT—Herman Kron, for Jack Washton, owner.
SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 21 of the Zoning Resolution, to permit on a plot located partly in a business use district and partly in a residence use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; previously dismissed for lack of prosecution.

PREMISES AFFECTED—890-92 Coney Island Avenue, west side, 118 feet 7¾ inches north of 18th Avenue, Block 5403, Lot 26, Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened as Vol III, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

199-57-BZ

APPLICANT—Max Siegel Associates, for 34th Street, Kinney Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete, which has expired September 18, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 55 and 56, Borough of Manhattan.

APPEARANCES—

For Applicant: John M. Hronec.

ACTION OF BOARD—Application reopened and set for hearing on December 16, 1958 at 10 A.M., subject to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and to record the name of the new owner as: Abraham Hershfeld.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

602-56-BZ

APPLICANT—Burke, Green and Groh, for Claire Fried, owner; J. Johnson and Co., lessee.

SUBJECT—Application August 17, 1956—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the change in use of the first floor from store to the manufacture of tools, the second floor retaining its use as apartments.

PREMISES AFFECTED—44-17 Douglaston Parkway, east side, 179 feet south of 44th Avenue, Block 8111, Lot 12, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

Adjourned: 5:00 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 21, 1958, as they appeared in Bulletin No. 43, Vol. 43, hereby corrected to read as follows:

165-48-BZ—Vol. IV

APPLICANT—Paul Trapani, for Estate of Victor and Concetta Minichiello (Eledliza, executrix), owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired September 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7a, 7c and 7e of the Zoning Resolution, permitting in a business use district, the extension of existing gasoline service station and repair shop (hand tools only) to include automatic car wash (granted by the Board under Cal. No. 165-48-BZ Vol. II) but not built, and store for accessories and reconstruction and extension of existing 2 car garage and conversion of same to auto repair shop.

PREMISES AFFECTED—2580 Gunther Avenue and 1738 Gunhill Road, southeast corner, Block 4494, Lots 44 and 46, Borough of The Bronx.

APPEARANCES—

For Applicant: Paul Trapani and Carlo Minichiello.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. IV on July 17, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on September 10, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 26, 1948, as thereafter *amended* by resolutions adopted through July 17, 1956, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings and work is about to start, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.”

(Alt. App. 972/ 54 and Alt. App. 898/55)

*Correction—In the last line of the resolution “and Alt. App. 898/55” added, as indicated in italics.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, 80 Lafayette Street, 9th Floor, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.

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RULE

RULE TO SUPPLEMENT SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK AS ADOPTED BY THE BOARD, JULY 11, 1958, EFFECTIVE AUGUST 11, 1958

(385-58-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subsection 2, of the New York City Charter and of Section 21 of the Zoning Resolution.

Purpose:

The purpose of this rule is to supplement the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

"19-A. REQUIRED OFF-STREET LOADING BERTHS FOR NEW CONSTRUCTION, ENLARGEMENTS AND CONVERSIONS. Every building or part thereof hereafter constructed which is used, or arranged, intended or designed to be used, for any of the uses specified in the schedule below, and in which the aggregate gross floor area so used, arranged, intended or designed is greater than the minimum number of square feet of gross floor area specified for those uses in said schedule shall be provided with off-street loading berths in accordance with said schedule, under rules and regulations promulgated by the Commissioner of Housing and Buildings. For the purpose of this section, a group of buildings hereafter constructed under common ownership and located within a single block shall be considered a single building."

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building computed by measuring from the inside surface of the outer building walls. Building stairs, fire towers, elevator shafts, elevators and other public corridors, flue vents, stacks, pipe shafts, vertical ducts, toilets, air conditioning rooms, fan rooms, air ducts, janitors' closets, slop sinks, electrical closets, telephone closets with their enclosing walls shall be excluded. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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Address all communications to the Chairman

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PETITION AND ORDER OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On November 28, 1958, Copy of Petition and Order of Certiorari was served on the Board by Finch & Schaeffer, attorneys for William A. Garrigues, Jr., realtor, seeking a review of the Board's determination on October 21, 1958, granting a variance under Section 7e, for a term of twenty years, to permit in a residence use district a proposed change in use from a one family dwelling and doctor's office to a building to be used and occupied in part, by an eleemosynary and charitable foundation and in part by doctors' offices for the practice of medicine as a group, including the owner, with connection to the foundation; Cal. No. 418-58-BZ; Premises 35 East 69th Street, north side, 125 feet west of Park Avenue, Block 1384, Lot 31, Borough of Manhattan. This was granted by the Board on certain conditions and in the Board's Resolution that they did not grant on the basis of being eleemosynary use.

* * * * *

COURT DECISIONS

Matter of Philip Kohnberg, et al vs. Harris H. Murdock, et al:—On September 10, 1956, Copy of Petition and Motion, applying for an Order under Section 78 of the Civil Practice Act, was served on the Board by Robert S. Dillworth, attorney for petitioners, objecting property owners, seeking a review of the Board's determination on July 24, 1956, granting a variance under Section 7e of the Zoning Resolution, for a term of 15 years, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, non-automatic auto laundry, minor auto repair shop, with hand tools only, and parking of motor vehicles awaiting service; Cal. No. 327-55-BZ Premises 202-06 Hillside Avenue; southeast corner of 202nd Street, Hollis, Borough of Queens.

Inasmuch as the filing under Section 78 of the Civil Practice Act was incorrect, attorney was so advised and a corrected Order of Certiorari was sought and granted on September 17, 1956, by the Court.

In Supreme Court, Queens County, Mr. Justice Kusnetz granted motion to dismiss petition and vacated certiorari, inasmuch as proceedings had not been instituted within thirty days from date of publication of decision in the Board's Bulletin, in the following decision:

"This is an application by respondents to vacate an order of certiorari and to dismiss the petition. On July 24, 1956, the Board of Standards and Appeals made a decision and determination by which the intervening respondents were granted a variance for a term of fifteen years, permitting the erection and use of premises as a gasoline service station. The decision of the Board of Standards and Appeals was published in its official bulletin on July 31, 1956, and became available to the public on August 13, 1956. The order of certiorari, which is herein sought to be vacated, was granted on September 17, 1956, the day on which it was presented to this court. Section 668-e of the Administrative Code of the City of New York provides that an order of certiorari in a proceeding such as this 'must be presented to a justice of the supreme court or at a special term of the supreme court within thirty days after the filing of the decision in the

(Continued on page 2191)

58-SM, 408-58-SM, 445-58-SA, 565-58-SA, 567-58-SA, 650-52-SA, 795-38-SM, 199-39-SM, 228-39-SM, 1507-39-SM, 960-54-SA—Vol. III, 1005-54-SA, 1006-54-SA, 620-40-SM, 297-50-SM, 505-57-SA, 303-58-A, 566-58-A, 80-57-A—Vol. II, 621-58-A, 559-58-A, 205-29-BZ—Vol. III, 795-55-BZ, 865-55-BZ, 1017-55-BZ, 545-56-BZ, 239-57-BZ, 333-57-BZ, 756-20-BZ—Vol. III, 726-27-BZ—Vol. III, 42-32-BZ—Vol. II, 143-42-BZ—Vol. II, 294-44-BZ—Vol. IV, 203-57-BZ, 390-57-BZ—Vol. II and 277-57-BZ.

Corrections Affecting Calendar Numbers 418-56-BZ, 619-41-BZ—Vol. II.

CALENDAR

DOCKET

New Cases filed up to December 2, 1958

Cal. No. Dept. Premises Affected

683-58-A—B.R.—4360 Hylan Boulevard, 4333 Richmond Avenue, southeast corner and 4 Oceanic Avenue, Block 5322, Lot 1, Eltingville, Borough of Richmond; under section 35, General City Law re curb cuts in bed of mapped streets, proposed widening of Richmond and Oceanic Avenues, N.B. 981-58.

684-58-BZ—B.Q.—81-15 Queens Boulevard, northwest corner of 51st Avenue, Block 1540, Lots 3 and 6, Elmhurst, Borough of Queens, Alt. 2524-58—re change to use minor motor vehicle repairs, parking of motor vehicles for patrons and tenants, etc.—business and residence use district.

685-58-A—B.B.—2721 Avenue D, north side, 20 feet west of East 28th Street, Block 5193, Lot 41, Borough of Brooklyn, Alt. 66-58—re Class III construction—proposed combined area of each building exceeds 3000 square feet.

686-58-BZ—B.B.—320-322 Rockaway Avenue and 1951-1961 Prospect Place, northwest corner, Block 1460, Lot 89, Borough of Brooklyn, Amendment to Alt. 2859-56—re area excessive—retail use, C area district.

687-58-A—B.B.—320-322 Rockaway Avenue and 1951-1961 Prospect Place, northwest corner, Block 1460, Lot 89, Borough of Brooklyn, Amendment to Alt. 2859-56—re exit stairs, etc.

688-58-SM—Modern Closet Floor Flange, manufactured by M and B Distributing Co., Material.

689-58-BZ—B.B.—505-507 East New York Avenue, north side, 59 feet, 1 inch west of Brooklyn Avenue, Block 1331, Lot 36 (formerly lots 36 and 37), Borough of Brooklyn, Alt. 3042-58—re change in use to garment factory—residence use district.

690-58-BZ—B.Bx.—666-670 Castle Hill Avenue and 2201-2207 Cincinnatus Avenue, northeast corner, Block 3575, Lots 28, 30 and 31, Borough of The Bronx, N.B. 986-58—re gasoline service station, lubritorium, parking and storage of more than five cars, etc.—residence use district.

691-58-BZ—B.Q.—131-25 20th Avenue, northwest corner of 132nd Street, Block 4137, Lot 55, College Point, Borough of Queens, N.B. 2653-58—re gasoline service station, auto washing, parking and storage, etc.—residence and business use district.

692-58-A—B.Q.—131-25 20th Avenue, northwest corner of 132nd Street, Block 4137, Lot 55, College Point, Borough of Queens; under section 35, General City Law re premises in bed of mapped street—proposed widening of 20th Avenue, N.B. 2653-58.

693-58-BZ—B.Q.—132-08 20th Avenue, southeast corner of 132nd Street, Block 4178, Lot 22, College Point, Borough of Queens, N.B. 2654-58—re gasoline service station, office, accessory sales, minor repairs, parking and storage of cars awaiting service, etc.—residence use district.

694-58-A—B.Q.—132-08 20th Avenue, southeast corner of 132nd Street, Block 4178, Lot 22, College Point, Borough of Queens; under section 35, General City Law re premises in bed of mapped street—proposed widening of 20th Avenue, N.B. 2654-58.

695-58-A—F.D.—32-50 Vernon Boulevard, west side, from 10th Street to 33rd Road and 33-48 10th Street, Block 313, Lots 1, 11 and 23 and Block 319, Lot 20, Long Island City, Borough of Queens, Decision.

696-58-BZ—B.B.—964-970 65th Street, south side, 100 feet west of 10th Avenue, Block 5740, Lot 47, Borough of Brooklyn, Alt. 3786-58—re parking and storage of motor vehicles, etc.—residence use district.

697-58-BZ—B.Bx.—285 West 231st Street, northwest corner of Corlear Avenue, Block 3406, Lot 83, Borough of The Bronx, N.B. 1115-58—re area excessive.

698-58-BZ—B.Bx.—457 Southern Boulevard, northeast corner of Tinton Avenue, Block 2582, Lot 1, Borough of The Bronx, N.B. 1446-56—re gasoline service station, car wash, lubritorium, parking and storage of motor vehicles, etc.—business use district.

699-58-SM—Fluidmaster 500, Stainless Steel Anti-Siphon Ballcock, sizes 411, 412, 413 and 414, manufactured by Fluidmaster, Inc., Material.

700-58-SA—Heet-Saver (heat reclaimer), Model 59, manufactured by Home Heating Devices, Inc., Appliance.

701-58-BZ—B.Q.—55-08 to 55-34 Metropolitan Avenue, 62-01 to 62-09 and 62-29 to 62-37 Tonsor Street, southeast corner, Block 3365, Lot 7, Ridgewood, Borough of Queens, N.B. 3281-58—re supermarket with parking for patrons—no fee charged, etc.—local retail and residence use district.

702-58-A—B.Bx.—1500-1510 Williamsbridge Road and 1601-1611 Eastchester Road, northeast corner, Block 4082, Lots 5 and 10, Borough of The Bronx; under section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Williamsbridge Road, N.B. 1818-56.

596-56-SA—Comforteer Gas-fired Room or Space Heater, Models 1125-S, 118-S, 1225-S, 135-S, 1112-W and C, manufactured by Herron Stove and Foundry Co., Inc.; reopened for test and report as to additional model and use, Appliance.

228-39-SM—Porete Nailing Slabs and Porete Channel Slabs, manufactured by Porete Manufacturing Co.; reopened for test and report as to additional spans, Material.

1507-39-SM—Porete Precast Featherweight Tongue and Groove Concrete Plank for Floor and Roof Construction, manufactured by Porete Manufacturing Co.; reopened for test and report as to additional spans, Material.

199-39-SM—Celotex (for covering plaster base, wall board, sheathing, roof insulation, floor insulation, acoustical treatment, interior finish, etc.), manufactured by Celotex Corp., reopened for test and report as to direct application of siding shingles, Material.

CALENDAR

795-38-SM—Lehigh Early Strength Portland Cement, manufactured by Lehigh Portland Cement Co.; reopened for test and report as to different types, Material.

1005-54-SA—Linde Liquid Storage Tank for Oxygen, Nitrogen and Argon, Models 150 VST, 250 VST and 500 VST, manufactured by Linde Company, Division of Union Carbide Corp.; reopened for additional models and amendment of resolution, Appliance.

1006-54-SA—Linde Liquid Storage Tanks with Pumping Unit, Models 150 VST, 250 VST and 500 VST, manufactured by Linde Company, Division of Union Carbide Corp.; reopened for test and report as to additional models and amendment of resolution, Appliance.

960-54-SA—Vol. III—Linde Driox Cold Converters, Models 92 VCC, 93 VCC and 150 VCC, manufactured by Linde Company, Division of Union Carbide Corp.; reopened for amendment of resolution, Appliance.

620-40-SM—Fiberglas Thermal and Sound Insulation, manufactured by Owens-Corning Fiberglas Corp.; reopened for report as to additional trade name, Material.

505-57-SA—Spi-Rol-Fin Gold Crown Gas-fired Boiler, Hot Water, Models 600G and 750G, manufactured by Edwards Engineering Corp.; reopened for report as to additional trade name, Appliance.

297-50-SM—Indestructo Flush Hollow Metal Door, manufactured by Firedoor Corporation of America; reopened for report as to change of stiffeners, Material.

390-57-BZ—Vol. II—B.M.—69-75 West 9th Street and 422-430 Avenue of the Americas, northeast corner, Block 573, Lots 1 and 3, Borough of Manhattan, Amendment to N.B. 26-57—re elimination of garage—local retail and residence use district.

143-42-BZ—Vol. II—B.M.—511-519 East 72nd Street, north side, 198 feet east of York Avenue and 510-518 East 73rd Street, Block 1484, Lot 9, Borough of Manhattan, Alt. 1183-58—re factory, garage for more than 5 mixed motor vehicles; extension of curb cut—residence and unrestricted use district.

756-20-BZ—Vol. III—B.Bx.—4741-4751 Park Avenue and 2494-2500 Webster Avenue, northwest corner, Block 3033, Lot 4, Borough of The Bronx, Alt. 804-58—re opening in wall of first and second floors and extension of garage on second floor—business use district.

42-32-BZ—Vol. II—B.B.—2263 Linden Boulevard and 786-794 Elton Street, northwest corner, Block 4336, Lot 27, Borough of Brooklyn, Alt. 3136-58—re gasoline service station, auto washing—non-automatic, lubrication, parking and storage of more than 5 motor vehicles, etc.—residence use district.

203-57-BZ—B.Bx.—433-443 West 263rd Street, north side, 204.2 feet east of Riverdale Avenue, Block 3423, Lots 1612 and 1614, Borough of The Bronx, N.B. 106-57—re 2 story

and cellar non fireproof 34 family Class A multiple dwelling, etc.—residence use district.

294-44-BZ—Vol. IV—B.B.—645 Kingston Avenue, northeast corner of Winthrop Street, Block 4812, part of Lot 1, Borough of Brooklyn, N.B. 1932-58—re laundry building—residence use district.

726-27-BZ—Vol. III—B.Q.—74-21 Queens Boulevard, north side, 24.41 feet west of 47th Avenue, Block 1529, Lot 6, Elmhurst, Borough of Queens, Alt. 1756-58—re gasoline service station, lubritorium, office, sale of auto accessories, parking of cars waiting to be serviced and parking and storage for more than 5 motor vehicles, etc.—business use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
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Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply) Procedure, Rules of	Aug. 3, 1937—Vol. 22, No. 31
Smoking in Factories, Rules for..	Nov. 13, 1956.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Sept. 7, 1937—Vol. 22, No. 36
Sprinkler, Rules	April 15, 1958.
Standpipe Fireline Rules	Mar. 4, 1958.
Structural Alterations, Reporting.	June 29, 1937—Vol. 22, No. 26
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)...	June 8, 1937—Vol. 22, No. 23
	June 7, 1932—Vol. 17, No. 23
	Sept. 3, 1946—Vol. 31, No. 36

Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.

Section 1, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories, Oil Fired Heating Equipment and Oil Burner and Heater Acces-

CALENDAR

sories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

DECEMBER 9, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 9, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for hearing, at request of objector; no further requests for adjournments.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for applicant to obtain revised additional objection as to woodworking machinery from the Building Department; hearing closed.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for hearing at request of objector.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.

SUBJECT—Application Aug. 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.

PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.

SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.

PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

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971-57-BZ

APPLICANT—Edward J. Croce, for McFadden Brothers Post Memorial Association, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) pleasure type motor vehicles.

PREMISES AFFECTED—518-524 Prospect Avenue, south side, 325 feet east of Prospect Park West, Block 871, Lots 22 and 24, Borough of Brooklyn.

482-57-BZ

APPLICANT—John Mashamesh, owner.

SUBJECT—Application June 28, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the extension of a one family dwelling that encroaches on the required rear yard.

PREMISES AFFECTED—46-14 216th Street, west side, 110 feet south of 46th Avenue, Block 7342, Lot 15, Bay-side, Borough of Queens.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, store and utility room, parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.

PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.

SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.

PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

446-58-BZ

APPLICANT—Nathan Lubroth, for Albert I. Cohan, owner. John Farmakides, Lessee, doing business as; J. and J. Co.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the change in classification of a storage building to a garage and motor repairs of more than five (5) motor vehicles.

PREMISES AFFECTED—37-08 24th Street, west side, 52.12 feet, south of 37th Avenue, Block 366, Lot 32, Long Island City, Borough of Queens.

555-58-BZ

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a class 2 height district, the erection of a forty-one story building with the dormer structure greater than that permitted.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets, 101-129 West 51st Street and 100-126 West 52nd Street, Block 1004, Lot 29, Borough of Manhattan.

556-58-A

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent re escalators.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, 1st and 2nd floors, Block 1004, Lot 29, Borough of Manhattan.

280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

367-58-BZ

APPLICANT—Henry Nordheim, for Michal Paniewski, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the continuance of a recently erected one family dwelling without the required accessory parking space.

PREMISES AFFECTED—1548 Dwight Place, east side, 200 feet east of Ampere Avenue, Block 5411, Lot 279, Borough of The Bronx.

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9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubritorium, and to extend the uses to include auto body and fender repairs.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the zoning resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway and 201-207 Bennett Avenue, northwest corner, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubritorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9 $\frac{3}{8}$ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for continued hearing.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market,

office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

Laid over from November 25, 1958, to December 9, 1958, for continued hearing to consider proposed change of use and for applicant to file new decision of the Borough Superintendent and new plans.

621-24-BZ—VOL. III

APPLICANT—Max Siegel Associates, for Terin Garage Corp., owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired May 22, 1957—decision of the Borough Superintendent, previously granted on condition, under section 7c of the Zoning Resolution, permitting in a restricted retail use district an existing three story garage, the additional parking of motor vehicles on the roof.

PREMISES AFFECTED—234-240 East 54th Street, south side, 100 feet west of 2nd Avenue, Block 1327, Lot 29, Borough of Manhattan.

78-52-BZ

APPLICANT—Howard H. Snyder, for 768 Corporation, owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired October 25, 1956—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the extension of existing stores by converting living quarters in rear of stores to store use and permitting the alteration of one store front by the installation of new front door and show window.

PREMISES AFFECTED—66 East End Avenue, west side, 76 feet 8 $\frac{1}{2}$ inches north of East 82nd Street, Block 1579, Lot 26, Borough of Manhattan.

573-56-BZ

APPLICANT—Wechsler and Schimenti, for 335 West 49th Street Corp., owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired March 10, 1958—decision of the Borough Superintendent, previously granted on condition under section 7a of the Zoning Resolution, permitting in a retail use district, the change of use of the cellar, first floor and second floor in an existing building from garage to storage in the cellar and factory (iron works) on the first floor and the second floor from factory to storage.

PREMISES AFFECTED—335 West 49th Street, north side, 275 feet east of 9th Avenue, Block 1040, Lot 12, Borough of Manhattan.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing

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on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection.

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

Laid over from November 5, 1958, to November 12, 1958, at the request of an objector; then to December 9, 1958, for inspection and decision; hearing closed.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Molodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

Laid over from November 12, 1958, to December 9, 1958 for inspection and decision; hearing closed.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

Laid over from November 5, 1958, to November 12, 1958, for continued hearing after applicant has filed revised plans; then to December 9, 1958 for inspection and decision; hearing closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections

7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Avenue, northeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

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PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential, G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons (no fee). The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multiple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution, to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Siracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zon-

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ing Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage or more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of the Bronx.

Laid over from November 18, 1958, to December 9, 1958, for inspection and decision; hearing closed.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a "G-1" area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

Laid over from October 28, 1958, to November 18, 1958, for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed; then to December 9, 1958; for inspection and decision.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildred Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubritorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

Laid over from April 29, 1958, to May 27, 1958, for inspection and decision; hearing closed; then to May 27, 1958, to June 27, 1958, for the purpose of filing deed restrictions by applicant; then to October 7, 1958, at the request of the applicant to consider withdrawal; then to October 28, 1958, at the request of applicant to obtain additional information from the Borough President's office as to the possible acquisition of the property by the Borough President's office and for decision; then to November 25, 1958, at the request of the applicant to report on the status of the possible taking of the premises by the Borough President in connection with the development of the Canarsie Cemetery; hearing closed; then to December 9, 1958, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman*

DECEMBER 9, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 9, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

166-58-A

APPLICANT—Robert Teichman, for E and A Building Corp., owner; Fisher Scientific Co., lessee.

SUBJECT—Application March 19, 1958—Appeal from an order and a decision of the Fire Commissioner re packaging of volatile and inflammable oils in Glass Bottles; capacity of bottles not in accordance with Administrative Code Requirements.

PREMISES AFFECTED—75-89 Morton Street, 633-635 Greenwich Street, northeast corner and 99-101 Barrow Street, Block 603, Lot 49, Borough of Manhattan.

789-55-A—Vol. II

APPLICANT—Columbia Pictures Realty Corp., lessee; Prentice Development Corp. (formerly Frezard Corp.) owner.

SUBJECT—Application reopened November 5, 1958—Appeal from a decision of the Borough Superintendent, re editing and storage of films, removal of Sprinkler System.

PREMISES AFFECTED—711 5th Avenue, northeast corner of East 55th Street, Block 1291, Lot 1, Borough of Manhattan.

28-58-A

APPLICANT—Leonard F. Rothkrug, for Ginsberg Realty Corp., owner.

SUBJECT—Application January 28, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—1657-1663 Broadway, northwest corner of Scaeffler Street, Block 3420, Lot 1, Borough of Brooklyn.

530-58-A

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Ohav Sholem Center of The Bronx, owner.

SUBJECT—Application September 9, 1958—Appeal from a decision of the Borough Superintendent—re Class Rooms and Rabbinical Office on the 2nd floor of a 3 story non-fireproof, Class 3 building.

PREMISES AFFECTED—838 Gerard Avenue, east side, 236 feet, 5 inches south of East 161st Street, 2nd floor, Block 2474, Lot 32, Borough of The Bronx.

613-58-A

APPLICANT—The Frink Corporation, lessee, for Frinre, Inc., owner.

SUBJECT—Application October 23, 1958—Appeal from a decision of the Fire Commissioner re use of Ransburg, 2, Electrostatic Spray Unit, not of approved type, in New York City.

PREMISES AFFECTED—217-283 63rd Street, northwest corner of 3rd Avenue, Block 5798, Lot 46, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

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DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the follows matters:

277-58-BZ

APPLICANT—Leonard F. Rothkrug, for Frank and Leana Mezzacappa, owners; Michael Battista, lessee.
SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the rebuilding of an accessory motor vehicle repair shop building to an existing gasoline service station and motor vehicle repair shop with parking of cars awaiting service.
PREMISES AFFECTED—175 Targee Street, southeast corner of Broad Street, Block 563, Lot 60, Stapleton, Borough of Richmond.

522-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.
SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, F area district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, minor repairs with hand tools only solely within the accessory building with less than the required setback and parking of more than five (5) motor vehicles awaiting service for a stated term of fifteen (15) years.
PREMISES AFFECTED—166-15 Willets Point Boulevard, north side, entire triangular block bounded by 166th Street and Cross Island Parkway, 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens.

365-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.
SUBJECT—Application May 27, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one story building from a garage for more than five (5) motor vehicles to an auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental painting and spraying, storage of parts, parking and storage of motor vehicles waiting to be serviced, loading and unloading and welding.
PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet 4½ inches east of Rogers Avenue, Block 5066, Lot 23, Borough of Brooklyn.

273-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Tudor Art Galleries, Charles Albert, President, owner.
SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of an extension to an existing structure, formerly two four story buildings and now connected, the proposed extension to have the second, third and fourth floors occupy the same area as the first floor.
PREMISES AFFECTED—309-311 East 56th Street, north side, 130 feet east of 2nd Avenue, Block 1349, Lots 6 and 7, Borough of Manhattan.

927-57-BZ

APPLICANT—Melvin E. Kessler, for Brith Realty Co., owner; John Antolotti, lessee.
SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7a of the Zoning Resolution, to permit in a residence use district, the ex-

tension of the existing restaurant to enlarge the kitchen area.

PREMISES AFFECTED—337-339 East 49th Street, north side, 225 feet west of First Avenue, Block 1342, Lot 16, Borough of Manhattan.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.
SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.
PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of The Bronx.

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusci-ano, for Jerome Estates, Inc., owner.
SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.
PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

489-58-BZ

APPLICANT—New York Telephone Company, owner. Mr. Harold V. Dixon, General Solicitor.
SUBJECT—Application August 18th 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as a telephone exchange.
PREMISES AFFECTED—164 Schofield Street, south side, 190.8 feet, east of City Island Avenue, Block 5641, Lot 315, Borough of The Bronx.

485-58-BZ

APPLICANT—Paul Trapani for Abe and Elizabeth Sholachman, owner.
SUBJECT—Application August 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of an extension to the rear of an existing one family dwelling that will encroach on the required rear yard.
PREMISES AFFECTED—2835 Gunther Avenue, west side, 200.27 feet, south of Arnow Avenue, Block 4792, Lot 14, Borough of The Bronx.

257-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corporation, owner.
SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for overflow parking of patrons cars attending the nightclub located across the street for a temporary term of ten (10) years.
PREMISES AFFECTED—4101-4123 Avenue V, 2236-2238 and 2246-2284 Hendrickson Street, northwest corner, 2231-2245 and 2251-2283 Coleman Street, Block 8558, Lots 1, 18, 22, 24 and 57, Borough of Brooklyn.

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.
SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning

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Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.

PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.

SUBJECT—Application reopened June 3, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, and 21 of the Zoning Resolution, to permit in a retail and residence use district, the reconstruction of an existing gasoline service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks and to relocate pumps and curb cuts.

PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.

SUBJECT—Application September 17, 1957—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.

PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.

PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 ft. south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

738-57-BZ

APPLICANT—Lama, Proskauer and Prober, for 644 Bushwick Avenue Corporation, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, extending from the unrestricted to the business portion.

PREMISES AFFECTED—640-648 Bushwick Avenue and 14-20 Troutman Street, south side, 131 ft., 8¾ in. west of Myrtle Avenue, Block 3182, Lot 18, Borough of Brooklyn.

593-41-BZ—Vol. III

APPLICANT—William B. Lichtner for Farock Theater Corporation, owner, Lee Service Center, Lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7i of the Zoning Resolution to permit in a business use district at an existing gasoline service station, the erection of a one bay extension to the existing accessory building and to extend the uses to include minor auto repairs with hand tools only.

PREMISES AFFECTED—10-25 Beach 19th Street, west side, 97.1 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens.

714-56-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the enlargement in the open area of a proposed gasoline service station, previously granted by the Board, to provide safer facilities for cars entering and leaving by adding two new curb cuts.

PREMISES AFFECTED—1346 Edward L. Grant Highway, east side, 369 feet north of West 169th Street, Block 2871, Lots 81, 83 and part of Lot 77, Borough of The Bronx.

1002-57-BZ

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the extension of an existing two-story and cellar building to extend the manufacture of toys to the second floor, previously used for the manufacture of women's wear.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

1003-57-A

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction—increase in area—exits, etc.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

275-58-BZ

APPLICANT—J. M. Berlinger, for Martin Brown and William Turner, owners.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under sections 7e, 9A and 21 of the Zoning Resolution, to permit in a residence use, Class 1 height district, the erection of a six (6) story multiple dwelling with a 70 car garage that exceeds the allowable height, is located within two miles of a designated airport and provides for three (3) retail stores on the first floor.

PREMISES AFFECTED—1261 Far Rockaway Boulevard, southwest corner of Beach 12th Street, Block 35, Lots 17-27 and Lot 31, Far Rockaway, Borough of Queens.

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., owner.

SUBJECT—Application October 4, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubritorium, non-automatic, auto laundry, sale of automobile accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

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199-57-BZ

APPLICANT—Max Siegel Associates, for Abraham Hirschfeld, owner.

SUBJECT—Application reopened November 25, 1958 for consideration as to extension of time to complete, expired September 18, 1958—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

Laid over from November 12, 1958, to November 18, 1958, applicant failed to give full notice to property owners; then to December 16, 1958 for inspection and decision; hearing closed.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

Laid over from November 18, 1958 to December 16, 1958, for inspection and decision; applicant may file brief as to Section 21; hearing closed.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adee Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1501-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; applicant to submit list of dwellings occupied by two families, whether legally or illegally, within 150 feet of the subject site.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Reso-

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lution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; applicant to furnish Board plans showing the parking rear of the hospital and copy of the Certificate of Occupancy; hearing closed.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Queens Village, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning

Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Velentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; applicant to file an additional decision of the Borough Superintendent and a record of the Fire Department permits for sale of gasoline and for repairing; no further hearing.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for inspection and decision.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and

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2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

Laid over from November 25, 1958, to December 2, 1958, at the request of an objector; then to December 16, 1958, for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; then to December 2, 1958, at the request of an objector; then to December 16, 1958, for applicant to file statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; then to December 2, 1958, at the request of an objector; then to December 16, 1958, for applicant to file re-

vised statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricatory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

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PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubricatorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick

buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons, cars for Riccardo's Restaurant on Block No. 876, Lot No. 15 (fee to be charged).

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rus-ciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for further inspection and decision.

HARRIS H. MURDOCK, *Chairman.*

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DECEMBER 16, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 16, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

108-52-SM

APPLICANT—Melvin G. Quayle, for Zonolite Company, owner.
SUBJECT—Application January 2, 1952—Zonolite Vermiculite Gypsum Plaster, approval of.

358-52-SA

APPLICANT—National Airoil Burner Company, owner.
SUBJECT—Application May 7, 1952—National Airoil Rotary Oil Burner, Models D, Direct Driven and Model B, Belt Driven, approval of.

272-55-SA

APPLICANT—H. C. Little Burner Company, Inc., owner.
SUBJECT—Application March 28, 1958—Safti-Vent Gas-fired Wall Heaters, Models GW-16, GW-22, GW-30, GWT-16, GWT-22, GWT-30, GWR-8 and GWT-8, approval of.

860-56-SM

APPLICANT—Wm. W. Bainbridge, for United States Gypsum Company, owner.
SUBJECT—Application December 9, 1956—U.S.G. Red Top Fire Rated Structo-Lite Basecoat Plaster, approval of.

39-56-SA

APPLICANT—R. M. Homer, for National Foam System, Inc., owner.
SUBJECT—Application January 20, 1956—Aer-O-Foam System (fire extinguishing system), approval of.

144-57-SM

APPLICANT—Masonite Corporation, owner.
SUBJECT—Application January 30, 1957—Masonite Peg-Board, approval of.

37-58-SM

APPLICANT—The National Gypsum Company, owner.
SUBJECT—Application January 27, 1958—Perinsul Perimeter Insulation, with additional trade name, Gold Bond Thermo-Bloc Perimeter Insulation, approval of.

294-58-SA

APPLICANT—Ro-An Heat Reclaimer Corporation, owner.
SUBJECT—Application May 13, 1958—Ro-An Domestic Heat Reclaimer, Model 400, approval of.

344-58-SA

APPLICANT—J. A. Arnao, for Verga Inc., owner.
SUBJECT—Application May 29, 1958—Vega Inc., Comforteer Gas Heaters, Models 340, 340A, 330, 330A, 320, 320A, 316, 316A, 312, 312A, approval of.

377-58-SA

APPLICANT—The Coleman Company, Inc., owner.
SUBJECT—Application June 12, 1958—Coleman Gas-fired Room Heater, Models 2111, 2112, 2113, 2115, 2116, 2117 and 2118, approval of.

439-58-SA

APPLICANT—Empire Stove Company, owner.
SUBJECT—Application July 21, 1958—Empire Gas Room Heaters, Models E-154-6, E-204-6, E-304-6, E-404-6, G-508-M, F-508-M, G-708-M and F-708-M, approval of.

447-58-SA

APPLICANT—Vandewater Associates, Inc., for A. F. Thompson Mfg. Co., owner.
SUBJECT—Application July 23, 1958—Thompson Vented

Circulator Type Room Heater, Gas-fired, Models Acme and Heatflo, Series 515V, 520V, 530V, 540V, 550V and 570V, approval of.

507-58-SA

APPLICANT—The Ohio Foundry & Manufacturing Company, owner.
SUBJECT—Application August 26, 1958—Brilliant Fire, Ohio Radiant, Sunburst Models 15-Low, 20-LOT, 30-LOT, 35-LOT, 50-LOT, 65-LOT, 65 LTW, 3500-A, 5000-A and 7000-A, approval of.

517-58-SA

APPLICANT—Premier Stove Company, owner.
SUBJECT—Application September 4, 1958—Premier Gas Room Heaters, Models 6-15V, 6-20V, 6-30V, 6-40V (with suffix A & T), approval of.

551-58-SA

APPLICANT—The Siegler Corporation, owner.
SUBJECT—Application September 19, 1958—Siegler Gas Home Heaters, Models 220G1, 220UB, 330UB, 550UB, 775UB, 885UB, 230, 340, and 560, approval of.

228-58-SA

APPLICANT—John J. Nesbitt, Inc., owner.
SUBJECT—Application April 10, 1958—Nesbitt Suspended Gas-fired Unit Heater, (various models and trade names), approval of.

283-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application reopened November 12, 1958 for amendment of resolution as to additional models of oil burners and permission to market under additional trade names—re ABC Oil Burner, Models 62 and 64, National US Oil Burner, Models 64-3-6065 and Thatcher Furnace Co., trade name Thatcher Oil Burner, Models 751-5 and 751-6; previously approved.

568-51-SM

APPLICANT—Holmann & Barnard, Inc., owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional design of wall tie—re Eraydo Alloy Zinc Cavity Wall Tie, Model 148-A; previously approved.

996-57-SM

APPLICANT—Borden Chemical Company, owner.
SUBJECT—Application reopened November 5, 1958 for amendment of resolution as to change in trade names—re Vitro-Bond self curing portland cement mortar for setting ceramic tile; previously approved.

596-56-SA

APPLICANT—Vega Industries, Inc., owner.
SUBJECT—Application reopened November 25, 1958 for amendment of resolution—re Comforteer Gas-fired Room or Space Heater, unvented, Models 1125-S, 118-S, 1225-S, 135-S, 1112-W and C; previously approved.

121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1951—1-B Master Anti-Siphonic Ballcock, approval of.

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.
SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.
PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

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559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.

SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.

PREMISES AFFECTED—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

374-58-A

APPLICANT—Simon B. Zelnik, for J. E. Lobert, owner.

SUBJECT—Application June 20, 1958—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—148 West 57th Street, south side, 225 feet east of 7th Avenue, Block 1009, Lot 55, Borough of Manhattan.

536-44-A—Vol. III

APPLICANT—Joseph A. Trapani, for Estate of Marion Spinnler, owner, Louis Wallach, temporary Executor.

SUBJECT—Application reopened September 23, 1958 as Vol. III, Appeal from a decision of the Borough Superintendent, re increase in No. of beds, Nursing Home, frame construction.

PREMISES AFFECTED—216-16 28th Avenue, south side, 200 feet, east of 216th Street, Block 6019, Lot 103, Bay-side, Borough of Queens.

377-50-A—Vol. II

APPLICANT—Patrick D. Concagh, for 29 West 38th Street, Corp., owner.

SUBJECT—Application reopened November 27, 1956 as Vol. II—re Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—29-33 West 38th Street, north side, 446 feet west of 5th Avenue, 4th, 7th, 9th, 10th, 11th, 12th, 14th, 15th, 16th and 17th floors, Block 840, Lot 23, Borough of Manhattan.

277-54-A—Vol. IV

APPLICANT—The Procter & Gamble Mfg. Company, owner.

SUBJECT—Application reopened July 22, 1958 as Vol. IV—Appeal from a decision of the Fire Commissioner—re: change in use of a 150,000 cubic feet gas storage container from water to hydrogen.

PREMISES AFFECTED—3666 Richmond Terrace, southwest corner of Western Avenue, Block 1400, Lot 1, Port Ivory, Borough of Richmond.

586-58-A

APPLICANT—Abraham Grossman, for Seymour Nathan, owner.

SUBJECT—Application October 10, 1958—Appeal from a decision of the Borough Superintendent, re egress, fire escape, etc.

PREMISES AFFECTED—101-103 Wooster Street, west side, 125 feet north of Spring Street, Block 501, Lot 28, Borough of Manhattan.

608-58-A

APPLICANT—Samuel Garnett, for 17 White Street Realty Corporation, owner.

SUBJECT—Application October 22, 1958—Appeal from a decision of the Borough Superintendent, re steps to Fire Escape.

PREMISES AFFECTED—13-19 White Street, south side, 135.2 feet east of West Broadway, Block 178, Lot 25, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 6, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, January 6, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

991-57-BZ

APPLICANT—Julius S. Rapson, for Rosedale Park Homes, Inc., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family dwelling without the required front yard and within twenty feet of the rear lot line.

PREMISES AFFECTED—129-45 Brookville Boulevard, northeast corner of 130th Avenue, Block 12889, Lot 1, Rosedale, Borough of Queens.

323-58-BZ

APPLICANT—Charles M. Spindler, for 9201 Third Avenue Corp., owner.

SUBJECT—Application May 22, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7h, 7i, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use district, the change in use from parking lot to a gasoline service station with accessory uses of lubritorium, car washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and parking and storage of motor vehicles with show windows and signs within 75 feet of a residence use district, the proposed building encroaches on the required rear yard.

PREMISES AFFECTED—92-01 to 92-13 3rd Avenue and 302-314 92nd Street, southeast corner, Block 6103, Lots 5, 7, 8, and 9, Borough of Brooklyn.

505-58-BZ

APPLICANT—Reginald S. Hardy, for Daniel J. Schaefer, owner.

SUBJECT—Application August 26th, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for accessory use by patron of the funeral home and by parishioners of the church across Fourth Avenue—no fee to be charged.

PREMISES AFFECTED—416 42nd Street, south side, 100 feet, east of 4th Avenue, Block 724, Lot 11, Borough of Brooklyn.

1002-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Abraham Rosenberg, Rebecca Rosenberg, Sylvia Rosenberg and Shirley Firkser, Marion Friedman and Ruth Gold, owners.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales.

PREMISES AFFECTED—113-14 to 113-20 Rockaway Boulevard (113-16 official) and 114-24 to 114-30 114th Street, southwest corner, Block 11705, Lots 36, 37, 38, 39 and 40, Jamaica, Borough of Queens.

CALENDAR

206-47-BZ—Vol. III

APPLICANT—Joshua Brown, for Anthony Coppola, owner.

SUBJECT—Application reopened April 8, 1958—as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, extension of the use of the present gasoline service station to include an authorized state auto inspection station, minor repairs and parking and storage of more than five cars awaiting service.

PREMISES AFFECTED—167 Olympia Boulevard and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

1187-24-BZ—Vol. III

APPLICANT—New York Telephone Company for same, owner, Harold V. Dixon, General Solicitor.

SUBJECT—Application reopened June 17, 1958 as Vol. III—decision of the Borough Superintendent under section 7d of the Zoning Resolution, to permit in a residence use, E-1 area district, the New York Telephone Company to construct a one-story addition to the two story portion of the Richmond Hill Central Telephone Exchange building.

PREMISES AFFECTED—87-28 109th Street (official 87-28 109th Street) west side, 264.67 feet south of Jamaica Avenue and 87-29 108th Street, Block 9298, Lot 91, Borough of Queens.

573-57-BZ

APPLICANT—W. P. LaVallee, for Alexander Lo Re, owner.

SUBJECT—Application July 25, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the continuance of an existing garage that encroaches on the required rear and side yards.

PREMISES AFFECTED—85-15 Chevy Chase Street, east side, 103.1 feet south of Grand Central Parkway, Block 9968, Lot 100, Jamaica, Borough of Queens.

493-57-BZ

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the change in use from furniture storage to manufacturing of wearing apparel with an area used for manufacture in excess of that permitted.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

494-57-A

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—Appeal from a decision of the Borough Superintendent, re live load, exit, etc.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

1086-23-BZ—Vol. II

APPLICANT—Larry Meltzer, for Chassen Realty Company, Inc., owner (Joseph Stern doing business as Hide-A-Way Garage, lessee).

SUBJECT—Application reopened May 28, 1957 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, in an existing one-story building, the change in use from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and motor vehicle repair shop—non collision or body work.

PREMISES AFFECTED—2772-2774 West 15th Street, west side, 190 feet north of Neptune Avenue, Block 6996, Lot 87, Borough of Brooklyn.

129-58-BZ

APPLICANT—Robert J. Crinnion, for Edward T. and Ada McCarroll, owners.

SUBJECT—Application March 6, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3510 Putnam Place and 288 East 211th Street, southeast corner, Block 3356, Lot 10, Borough of The Bronx.

455-58-BZ

APPLICANT—Kenneth W. Milnes, for Gaetano Trubia, owner.

SUBJECT—Application July 24, 1958—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a local retail use district, the reconstruction and rehabilitation of an existing gasoline service station, accessory building for a lubritorium, car wash, auto repairs—mainly with hand tools and to install one new pump, relocate the existing pumps and install three additional tanks and provide a business sign within 75 feet of a residence use district.

PREMISES AFFECTED—194 Brighton Avenue, southwest corner of Sumner Place, Block 117, Lot 20, New Brighton, Borough of Richmond.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue (displayed) (2542-2544 Atlantic Avenue official) and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

424-58-BZ

APPLICANT—Abraham Farber, for Curb Holding Corporation, owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy of an existing one-story building from sash and door storage to auto showroom, auto repairs, storage of more than five (5) cars and gasoline storage (not for public sale), all for a term of fifteen (15) years.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

425-58-A

APPLICANT—Abraham Farber, for Curb Holding Corp., owner.

SUBJECT—Appeal July 15, 1958 from a decision of the Borough Superintendent, re construction, proximity of Social Club.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

553-58-BZ

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—decision of the Borough Superintendent, under sections 7c, 7A and

CALENDAR

21 of the Zoning Resolution, to permit in a local retail and residence use district, a one story extension to an existing four-story multiple dwelling with basement and cellar and the change in occupancy of the basement floor from apartments to restaurant with storage, office and restrooms in the cellar, the proposed show windows and signs are within 75 feet of a residence use district and the proposed extension exceeds the permitted area.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, Block 1343, Lot 23, Borough of Manhattan.

554-58-A

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent—exit and rear yard.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, basement and 1st floor, Block 1343, Lot 23, Borough of Manhattan.

97-50-BZ—Vol. II

APPLICANT—Julius S. Rapson, for Island Carriers Inc., owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use "D" area district, the erection of loading platform that encroaches on the required rear yard.

PREMISES AFFECTED—150-28 107th Avenue, south side, 203.55 feet west of 154th Street, Block 10130, Lot 20, Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 13, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 13, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to

submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; then to January 13, 1959, at request of the applicant; no further notices to be sent out.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 13, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 13, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

7-58-A

APPLICANT—Loral Electronics Corp., lessee, for Herbco Realty Corp., owner.

SUBJECT—Application January 3, 1958—Appeal from a decision of the Fire Commissioner—re permit for smoking—factory.

PREMISES AFFECTED—825 Bronx River Avenue, northeast side, 300 feet east of Story Avenue, Block 3621, Lot 10, Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 27, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 27, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center; then to January 27, 1959, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman*.

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REGULAR MEETING

TUESDAY MORNING, DECEMBER 2, 1958, 10 A.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, November 18, 1958, were approved as printed in the Bulletin of November 25, 1958, Vol. 43, No. 47.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36 and 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: C. J. Cammarata for N. Y. C. Housing Authority.

ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for applicant to obtain revised additional objection as to woodworking machinery from the Building Department; hearing closed.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Omara.

For Opposition: Daniel J. Downs, Mary Donovan and Margaret T. Brown.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Maurice Haymes.

For Opposition: Rose Cohen.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for further inspection and decision; hearing previously closed.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: James E. Vassalotti.

For Opposition: William G. Jozwiak, Mildred Healy, G. Goss and John Lynam.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry Haback.

For Opposition: Gilbert Kerlin, Mrs. J. Rulon Miller, Mrs. A. E. Meckman, Mrs. George Brown, Mrs. Anthony Scala, Mrs. Samuel Fomon, Mrs. William A. Brooks, Luisa Ruffa, Sally Ondra, Mrs. A. Sirovich, Sally Chahal, Calderon Howe, Ludwig P. Bono, Thomas Thacher, R. M. Morgenthau, Mrs. Phillip Polatin, Mrs. Wally H. Gabor, Lillian M. Clarin, Elizabeth A. Viltolo and Mrs. Louis Harris.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for applicant to file revised statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision; hearing closed.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

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PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Harry Haback.
For Opposition: Gilbert Kerlin, Ludwig Bono, Thomas Thacher, Robert M. Morgenthau and Osborne McKegney.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; for applicant to file statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision; hearing closed.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: James Williams.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph O'Mara.

For Opposition: Osborne A. McKegney, William Wolf, Gertrude Mayer, Henrietta M. Blanken, Stella Appelbaum, Caroline M. Ockert, Frederick W. Ockert, Bart Woodcock, Frank Maresca, Patrick Kelly and Christy M. Baniotu.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Vito P. Battista, Tom Cannito and Mary Cannito.

For Opposition: Helen Schlesier, Margaret Wagner, George J. Schneider, Susan Hoechner, Louise Boos, Betty Winkhofer, Elena Valery, Paula Barmann, Margaret O'Brien, Laura F. Franz, Fanny Hier, Lillian

Schleich, Louis Schleich, John T. Redmond, Evelyn Wiesman, Augusta Ehrenberg and Helen B. Cassidy.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.
SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricity and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Halpern, Karl Butterstein, Adolph Hopfer, and Frank Riphant.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubricatorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage for more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of Bronx.

APPEARANCES—

For Applicant: Irvin J. Goldsmith and Charles Pheffer.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard Sommer.

For Opposition: Wilmot A. Archibald, Edna Kelly, Geraldine Arnet, Rudolph Maloney, Elizabeth Robinson, Denzil Thorpe, Robert Monroe, William Gordon and Dr. Lawrence Arnet.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner Esso Standard Oil Company, lessee.

SUBJECT—Application July 3, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non automatic, office and sales, with show windows within

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75 feet of a residence use district for a term of fifteen (15) years.
PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.
APPEARANCES—
For Applicant: Leonard Rothkrug.
For Opposition: Ernest De Luca and Howard Golden.
ACTION OF BOARD—Laid over to December 9, 1958, at 10 A.M. for hearing at request of objector.

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.
SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.
PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.
APPEARANCES—
For Applicant: Leon Konondorea.
For Opposition: Frank Composto.
ACTION OF BOARD—Laid over to December 9, 1958, at 10 A. M. for hearing, at request of objector; no further requests for adjournment.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner. Riccardo's Restaurant, Lessee.
SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.
PREMISES AFFECTED—23-77 (23-79 official) 21st Street and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.
APPEARANCES—
For Applicant: James E. Vassalotti.
For Opposition: Nicholas Ceselka, John Baszanda, Sylvester Cerina, Rocco Scavette, Mary Marra, Mary Bilinski and Thomas V. Polizzi.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.
SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, car washing—non automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.
PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Paul Friedman, Arthur Levine and George P. Ames.
For Opposition: Leo Burger.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomila, owner.
SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street.
PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Paul Friedman.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision, in conjunction with Cal. No. 467-58-BZ; hearing closed.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.
SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.
PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lots 32 and 41, Howard Beach, Borough of Queens.
APPEARANCES—
For Applicant: Boris W. Dorfman.
For Opposition: Mrs. Frances Piscopo, Maurice Kileen, Philip Drate and Arline Simon.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.
SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons' cars for Riccardo's restaurant on Block 876, Lot No. 15, fee to be charged.
PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.
APPEARANCES—
For Applicant: James E. Vassalotti.
For Opposition: John Fabijanic, Lena Cenci and John T. Kach.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

344-33-BZ—Vol. V

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.
SUBJECT—Application reopened September 13, 1955 as Vol. V—re decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, proposed change of use of cellar to pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room, maintenance room, oven and refrigeration and change on second floor to banquet hall, kitchen and office; also removal of limitation as to size of orchestra.
PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 feet south of Avenue J and 1151-1167 East 5th street, Block 5495, Lot 870, Borough of Brooklyn.
APPEARANCES—
For Applicant: James Vassalotti.
For Opposition: Samuel Bodian, Park Dept.

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ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert,
Commissioner Foley and Commissioner Sleeper..... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. V on September 13, 1955 subject to regular procedure, to consider alterations; and

WHEREAS, a public hearing was held on this application on October 30, 1956 after due notice by publication in the Bulletin; laid over to November 27, 1956, to wait the decision of the court as to violations and for further inspection; hearing closed; then to December 11, 1956, pending court decision on violations; then to January 8, 1957, to await the decision of the court on violations; then to January 29, 1957, pending court decision on violations and decision; then to March 26, 1957, for report on court decisions as to violations; then to May 7, 1957, for consideration pending report as to decisions of the Court as to violations; then to June 4, 1957, pending court decision as to violations; then to June 18, 1957 for consideration and decision; after review of the decision of the Appellate Term of Special Sessions; then to July 2, 1957 awaiting decision of Court of Appeals on violations; then to July 23, 1957, at the request of the applicant; then to September 10, 1957, at the request of the applicant and the Park Department for decision; then laid over, date to be set after decision by the Court of Appeals and for decision by the Board; now set for November 5, 1958, then November 25, 1958, for inspection and decision; also for statement from the Park Department; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Ocean Parkway are in a residence use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 3, 1956 acting on Alt. Applic. 3112-51, reads:

"7. Proposed change of use of cellar area and 2nd floor area violates Art. II Sec. 3 of the zoning resolution. Note: Premises have been subject to a Board variance Cal. No. 344-33, BZ, Vol. IV.

9. Proposed removal of limitation as to size of orchestra, contrary to original resolution of the Board of S. & A."

and

WHEREAS, the applicant states that the premises consist of a plot, 221 feet 3 $\frac{3}{8}$ inches frontage by 250 feet in depth, irregular, presently developed with a building 2 $\frac{1}{2}$ stories in height, of class 1 construction, having a frontage of 84 feet and a depth of 154 feet and a 10 foot by 10 foot, one story frame office; that the open area is being used for parking of patrons' cars; and

WHEREAS, the applicant states that the main building was erected under permit No. 5431-1934 and under Cal. No. 344-33-BZ for use as a recreation building; that it was altered several times through the years 1934 to 1951; that in 1951 under Alt. No. 3112-1951 and under Cal. No. 344-33-BZ, Vol. IV, the building was altered and new uses approved as follows: cellar—catering, banquet hall, lounge and powder room; 1st floor—kitchen, lobby, porch, grille room, dining room, and dance floor, band stand, lounge and powder room; 2nd floor—ping pong room and card room; attic—vacant; open lot—parking of patrons' cars; that temporary Certificate of Occupancy No. 146577 was issued for the 1st floor and open lot; that the premises are presently being used as follows: cellar—pastry baking, dishwashing, boiler room, storage of tables and chairs, employee locker and dressing rooms, maintenance room, oven and refrigerators; 1st floor—dining room and dance floor, band stand, kitchen, dressing rooms and lounge, bar and grille room; 2nd floor—banquet hall, kitchen and office; attic—vacant; that the open area of the lot is being used for parking of patrons' cars; that it is proposed under this application to secure a variance of the building zone resolution to maintain the present uses as shown above; and

WHEREAS, the applicant contends that it is apparent that no new uses are being introduced on the 1st or 2nd floor, the only change being the banquet hall and kitchen heretofore approved by the Board in the cellar, which will now be located on the 2nd floor, and it is further proposed to use the cellar for pastry baking, dishwashing, boiler room, storage of tables and chairs, employees' locker room and dressing room, maintenance room, oven and refrigerators; that the building is of class 1 construction and now has a legal non-conforming use and the rearrangement of the uses within the confines of the building cannot affect the adjoining properties; and

WHEREAS, the applicant further contends that the music to be furnished as heretofore approved by the Board does not meet with the present day need of a restaurant of this type and size and it is therefore proposed that the limitation as to the type and number of instruments be increased to an eight piece band, including a piano; that this is necessary so that the owner may continue to serve the public with the type of music that will help him to maintain premises and receive an equitable return on his investment; and

WHEREAS, the applicant states that the present owner has held title to the property since June 30, 1944; that the assessed valuation of land is \$50,000 and of the building \$75,000 making a total of \$125,000; that the building was erected in 1934; and

WHEREAS, the hearing on this application was held on October 30, 1956 and laid over from time to time and decision deferred pending the decision of the Court as to violations; the decision of the Court of Appeals was received and is a part of this record; and

WHEREAS, in the matter of People v. Scandore as to violations in the premises, the decision of the Court of Appeals, as handed down on February 27, 1958, reads as follows:

"1. Defendants' conviction of violations of section 532-11.0 of the Administrative Code of the City of New York and section 60 of the Rules and Regulations of the New York City Department of Parks was improperly reversed on the ground that the record did not establish that the violations were committed on the precise date alleged in the pleadings. The record showed that these continuing violations existed before and after the date alleged.

2. It was also improperly reversed on the ground that there was not sufficient proof that defendant was the owner of the property on that date. Ownership was established by evidence of a deed of these premises to defendant, which was dated and recorded several years before the violations. That proof was sufficient under the presumption of continuance of ownership. Defendant did not suggest that proof of ownership was not sufficient or that he was contesting the issue of ownership until the appeal.

3. The judgments of conviction are reinstated."

WHEREAS, the premises have been inspected from time to time and recently inspected with Calendar Number 100-56-A.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions adopted by the Board on February 20, 1934, October 15, 1935, April 20, 1937, January 7, 1947 and December 20, 1949 by adding thereto:

"that in the event the owner desires to change the use of the cellar area and second floor area as now proposed and as shown on plans filed with this application marked, 'Received October 10, 1958,' thirteen (13) sheets, showing existing and proposed conditions, such changes as thereon shown may be permitted, including the enclosure of exits as shown, except as required by resolution adopted this day under Calendar Number 100-56-A and the relocation of band stand and dance floor on condition that the orchestral equipment shall not exceed one piano and six string or reed instruments, excluding all brass instruments; that the signs on the building shall be completely removed and not restored; that the roofed front

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porch being within the 30 feet front set-back required by State Law may be continued, provided the sash be made removable and all partitions and passageways in such one-story porch located within the 30 feet front yard of the premises shall be removed so that the porch shall be entirely free of any uses or partitions and left free for exit through the existing doorways; that, at the front of same, porch steps thereto may remain; that between such porch and the building line of Ocean Parkway the area now paved with tile and with the low stone wall on the building line may be continued; that the parking area may be continued with no use within the 30 foot set-back area except two curb cuts each not more than 15 feet in width, and driveways as formerly permitted by the Commissioner of Parks; that there shall be no signs in connection with the parking and no fees shall be charged for the parking; that in all other respects the building and occupancy shall comply with all the terms of the several resolutions above cited where not inconsistent therewith; that the building and occupancy shall comply in all other respects with all laws, rules and regulations applicable thereto other than as *amended* this day under Calendar No. 100-56-A; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

100-56-A

APPLICANT—Lama, Proskauer and Prober, for Nicholas Scandore, owner.

SUBJECT—Appeal February 1, 1956—Appeal from a decision of the Borough Superintendent re exits.

PREMISES AFFECTED—1048-1072 Ocean Parkway, west side, 380 feet south of Avenue J and 1151-1167 East 5th Street, Block 5495, Lot 870, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Vassalotti.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated January 3, 1956, on Alt. App. 3112/51 reads:

"10. Exits from second floor is without a fireproof passageway as per Section 6.4.1.11-K2 of A.C.

"11. The cellar exits do not comply with the Administrative Code in that the rear stair is 3'-0 wide and therefore contrary to Sec. 6.4.1.1. The front stair does not lead directly to the street and is therefore contrary to Sec. 6.4.1.11."

and

WHEREAS, the applicant states the building is 2 stories and attic, 34 feet average in height, 84 feet front by 154 feet irregular in depth, at street level, 66 feet 9 inch front by 30 feet in depth irregular at 2nd floor; of fireproof construction, erected in 1934 on a lot 221 feet 35/8 inch front by 250 feet irregular in depth, in a residence use, C area, Class 1 height district; used and occupied since 1951: Cellar—pastry baking, dishwashing, boilerroom, storage of chairs and tables, employees' lockers and dressing, maintenance, oven and refrigeration, 12 persons; 1st floor—dining and dance room, kitchen, dressing room and lounge, 480 persons; bar and grille; 2nd floor—banquet hall, kitchen and office, 90 persons; attic—vacant; the unoccupied portion of plot is used for parking patrons' cars; no change in use or occupancy is now proposed; the building is provided with one 4 foot wide fireproof stairs, fireproof enclosed, leading directly to street but not to roof bulkhead; and

WHEREAS, the applicant states the premises are developed with the 2½ story building in question of fireproof construction, 84 foot front by 154 feet in depth and a 10 foot by

10 foot one-story frame office and open area used for parking of patrons' cars; and

WHEREAS, the applicant states the records of the Department of Buildings show that the main building was erected under Permit #5431/34 under a conditional variance granted by the Board under Cal. 344-33-BZ, Vol. I for use as a recreation building and altered several times through the years 1934 to 1951; that under Alt. 3112/51 and variance granted by the Board under Cal. 344-33-BZ, Vol. IV for use as follows: cellar—catering, banquet hall, lounge and powder room; 1st floor—kitchen, lobby, porch, grille room, dining room and dance floor, band stand, lounge and powder room; 2nd floor—ping pong and card room; attic—vacant and temporary Certificate of Occupancy 146577 was issued for use of the first floor and the open lot for parking of patrons' cars; that the premises are now used as follows: cellar—pastry baking, dishwashing, boilerroom, storage of tables and chairs, employees' locker and dressing rooms, maintenance room, oven and refrigerators: 1st floor—dining room and dance floor, band stand, kitchen, dressing rooms and lounge, bar and grille; 2nd floor—banquet hall, kitchen and office; attic—vacant; the open area of lot is used for parking patrons' cars; it is now proposed to maintain the existing uses and to erect a new 4 foot wide stair from 2nd floor and a new 3 foot wide stair and ramp from the cellar; and

WHEREAS, the applicant contends as to Objection 10, that the 2nd floor is now provided with a 4 foot wide steel stair fireproof enclosed, equipped with fireproof, self-closing doors, leading direct to the street; that it is proposed to provide a new 4 foot wide steel stair completely enclosed in fireproof material with fireproof self-closing door, leading directly to the street and to provide a 3 foot by 7 foot door leading to the adjoining flat roof, which has an area of 3872 square feet and is fireproofed; that inasmuch as the 2nd floor will be provided with two legal exits, the omission of the connecting hall between the two stairs will not affect the exiting from the 2nd floor; and

WHEREAS, the applicant contends as to Objection 11, that the cellar is now provided with one 4 foot wide steel stair, proposed to be enclosed at cellar level with fireproof material and equipped with a fireproof self-closing door; that this stair leads from the cellar to the 1st floor with egress through a fireproof lobby and thence to the street; that as a second means of egress the cellar is provided with a 3 foot wide open wood stair leading directly to the street; that as a third means of egress, it is proposed to provide a new 3 foot wide concrete stair enclosed in fireproof material leading from cellar to side yard with egress through a 3 foot 6 inch open passage to street; that as a fourth means of egress it is proposed to provide a 3 foot wide concrete ramp enclosed in fireproof material leading from cellar to yard and thence to street; that as the building is of Class I construction and there are only twelve employees in the cellar and four possible means of egress, that the egress as proposed is more than adequate; and

WHEREAS, the premises was inspected by a committee of the Board in connection with companion application 344-33-BZ, Vol. V.

Resolved, that the decision of the Borough Superintendent, dated January 3, 1956, acting on Alt. Appl. 3112/51 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that all means of exit shall comply with the requirements of the Building Code except that the stairway enclosure shown within the porch to the second floor on plans filed with Calendar No. 344-33-BZ, Vol. V, shall be omitted and in its place there shall be means of exit provided to the south from the banquet room on the second floor by means of the adjoining roof to the south through a door thereto and with a steel stairway to the adjacent yard at grade; that any existing wood stairs shall be replaced with steel stairs complying with the code and enclosed.

449-44-BZ

APPLICANT—Peter J. Hartmann, owner.

SUBJECT—Application reopened November 12, 1958 for

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consideration as to extension of time to complete, expired June 11, 1955—decision of the Borough Superintendent, previously granted on condition under section 7c of the Zoning Resolution, permitting in a business use district, the reconstruction of three (3) buildings, two of which are two stories in height, occupied as garages for more than five motor vehicles, and one 1-story in height, occupied as a garage for five motor vehicles, into one (1) building, one story in height, to be occupied as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—238-242 Vanderbilt Avenue, west side, 208 feet 7 inches north of DeKalb Avenue, Block 2092, Lots 53, 54 and 55, Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas F. Lawler.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation on June 11, 1955; and

WHEREAS, this application was reopened on November 12, 1958 and set for hearing on December 2, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated October 21, 1958 acting on amendment to Alt. Applic. No. 3932-54, reads:

"1. As the time for completion of work has expired in accordance with the Bd. of Standards and Appeals variance, proposed extension of time is referred to the Bd. of Standards and Appeals for consideration;"

and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 9, 1945, and as thereafter amended by resolutions adopted through January 11, 1955, only so far as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed and a new Certificate of Occupancy obtained within the requirements of Section 22A of the Zoning Resolution."

817-48-BZ—Vol. III

APPLICANT—Ralph E. Leff for Aujo Realty Corporation, owner, Rogers Pontiac Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7c of the Zoning Resolution to permit in a business and unrestricted use district, the change in use of the second and third floors of an existing building from the preparation, service and repairs of new cars and storage of more than five (5) motor vehicles in connection with the present auto sales agency to the manufacture and storage of paper boxes.

PREMISES AFFECTED—6002-24 Fort Hamilton Parkway, west side, 952-976 60th Street and 959 61st Street, Block 5715, Lot 27, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ralph E. Leff.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on July 22, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 9th Avenue, 60th Street and 61st Street are in business and unrestricted use, C area, class 1 height districts; Fort Hamilton Parkway is in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 26, 1958 acting on Alt. Applic. No. 2034-58, reads:

"1. The proposed change in use of the 2nd and 3rd floors is contrary to the conditional approval of the Board of Standards and Appeals under Cal. No. 817-48-BZ and 818-48-A."

and

WHEREAS, the applicant states that the premises consist of a plot, 203 feet 3 $\frac{3}{8}$ inches frontage by 115 feet 6 $\frac{5}{8}$ inches in depth, irregular, presently developed with a three story masonry, class 3 building, 123 feet 2 inches front and 115 feet 6 $\frac{5}{8}$ inches deep; that this building was erected before 1915 and altered in 1949-50 under Alt. Applic. No. 2599-48 for which a variance was granted by the Board under Cal. No. 817-48-BZ by Resolution adopted on October 26, 1948 and amended on April 12, 1949 permitting the owners to convert this three story building to an automobile showroom for new and used cars, repairs and the storage of more than five cars, with the necessary conjunctive uses of welding, lubrication, auto painting, car wash, parts department, parts storage, the installation of one 550 gallon storage and pump for gasoline, to be used only for cars dealt in by this automobile agency, and in the open space, the parking of cars waiting for servicing, without charge for such parking; that Certificate of Occupancy No. 128802 was issued permitting the aforementioned uses in the above building; and

WHEREAS, the applicant contends that due to the curtailed activity in the automobile field, the owners do not require the use of the entire building for their automobile agency, and they therefore propose to lease all of the second floor, except for the existing office area, and the entire third floor to a tenant for the manufacturing and storage of paper boxes; that no physical changes to the building will be required as the present exits and stairs meet all the requirements of both the Building Code and the Labor Laws; that off street loading for the manufacturing tenant will be provided in the open parking area adjoining the existing elevator; and

WHEREAS, the applicant further contends that concerning Objection No. 1, this type of manufacturing is not prohibited in a business district by Section 4 of the Zoning Resolution, and the total floor area devoted to such manufacturing will not exceed the total area of the plot; that part of this property lies in an unrestricted use district and the adjoining buildings directly to the west of these premises are used for manufacturing; that the proposed changes in use of the second and third floors will not affect the appearance or the functioning of the building in relation to its surroundings; and

WHEREAS, the applicant states that the present owner has held title to the property since March 16, 1949; that the assessed valuation of land is \$34,000 and of the building \$91,000 making a total of \$125,000; that the building was erected in 1915; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate

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case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the upper stories, as proposed, to be occupied for the manufacture of folding paper boxes *on condition* that such fire-fighting equipment shall be maintained as the Fire Commissioner shall direct; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that a new certificate of occupancy shall be obtained; that off-street loading and unloading shall be provided, as proposed, adjacent to the rear elevator to the parking area; that there shall be complete separation from the use herein permitted on the upper stories and the use on the first story and part of the second story as proposed and as shown on plans filed with this application marked "Received July 1, 1958," 13 sheets; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

754-49-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober for 2885 Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. III—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a building partly in a business use district and partly in a residence use district, the extension of the uses of manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading from the business portion to the residence portion and maintain two business entrances in the residence use portion.

PREMISES AFFECTED—2889-2915 Coney Island Avenue, east side, 82 feet, 9 inches north of Shore Parkway, and 2656-2666 East 11th Street, Block 7454, Lot 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Vassalotti.

For Opposition: None.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on June 3, 1958 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; applicant to report to the Board as to closing the existing entrances to East 11th Street in the residence use district; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East 11th Street are in business and residence use, D area, class 1 height districts; Coney Island Avenue, Avenue Z and Shore Road are in a business use, D area, class 1 height district; that as of April 25, 1916 the entire premises were in an unrestricted use district and received the present use designation on October 10, 1930; and

WHEREAS, the decision of the Borough Superintendent, dated May 7, 1958 acting on Alt. Applic. No. 3762-56, reads

"1. In a building located partly within a residence use district and partly within a Business Use District, the extension of the Manufacturing and Assembly of plastic toys, and storage uses into the residential use district portion of the building and the business entrances in the

Residential Use District is contrary to Art. II Section 3 of the Zoning Resolution.

"Note: These premises were the subject of a Board of Standards and Appeals variance under Calendar Number 754-49-BZ, Vol. I."

and

WHEREAS, the applicant states that the premises consist of a plot, 240 feet frontage by 200 feet in depth, presently developed with a one story building of class 3 construction, covering the entire premises except for a small portion of the plot facing Coney Island Avenue; that the part of the premises within 100 feet of Coney Island Avenue is presently being used for manufacturing and assembly of plastic toys, silk screening, storage, office, shipping and receiving, loading and unloading, parking and storage of employees' cars in open area, as approved under Alt. Applic. No. 3762-56; that the rear part of the building in the residence use portion of the plot facing East 11th Street, is now vacant; that no Certificate of Occupancy has been issued for the present uses; that it is proposed to maintain the present legal uses of manufacturing and assembly of plastic toys, silk screening, storage, offices, shipping and receiving, loading and unloading, parking and storage of employees' cars in open area as approved under Alt. Applic. No. 3762-56 for that part of the building within the business use portion of the plot, and extend said same uses into that part of the building within the residence use portion of the plot; that it is also proposed to maintain the two present business entrances in the residence use portion of the plot facing East 11th Street; and

WHEREAS, the applicant states that the major portion of the building, having a frontage of 180 feet on Coney Island Avenue and running through to East 11th Street, was erected under N.B. Applic. No. 4245 of 1928 for use as two stores and public garage for more than five cars; that in 1949, under Alt. Applic. No. 3082-49 and Cal. No. 754-49-BZ, the use of the building as described above was changed to garage for owners trucks only and warehouse for storage of groceries; that in 1954, under Alt. Applic. No. 4825-54, the extension having a frontage of 60 feet on Coney Island Avenue was added, and the use of the combined buildings was shown as warehouse for storage of groceries and garage for owners' trucks, that Certificate of Occupancy No. 144381 was issued for said use of warehouse for storage of groceries and garage for owners' trucks, and

WHEREAS, the applicant contends that the extension of the legally permitted uses of this building, into that part of the present building which is in the residence use portion of the plot, cannot have an adverse effect upon the adjoining properties, inasmuch as the major portion of this building was erected when this area was in an unrestricted use district; that the land and building is high in assessed value and since the building has outlived its usefulness as a garage, it is mandatory for the owner to change the use of this building to enable him to receive an equitable return on his large investment; that the erection of the Coney Island Avenue overpass has limited the use of this property so that it can only be reached by the Shore Parkway Service Road; that the maintenance of the present business entrances on East 11th Street will not constitute any more of a hazard than the many private garages and driveways on East 11th Street; and

WHEREAS, the applicant states that the present owner has held title to the property since September 1, 1957; that the assessed valuation of land is \$38,000 and of the building \$60,000 making a total of \$98,000; that the building was erected in 1928; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and it was found that the portion of the building in the residence use area not permitted by the Building Department, and subject to this application for zoning variance, was in use and was being used for loading and unloading of material; in previous application this portion of the premises was also used under certain conditions, namely "that the premises facing on 11th Street shall be used only for receiving and all shipping shall

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be done on the Coney Island Avenue side"; the committee recommends that similar requirements shall be made as to this use; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the portion of the building located in the residence use district to be occupied in connection with the portion in the business use district for the same use *on condition* that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that the East 11th Street side shall be used only for the receipt of merchandise; that unloading space shall be provided so as to permit such unloading to be carried on solely inside of the building; that all shipping shall be on Coney Island Avenue side only; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such fire-fighting equipment shall be maintained as the Fire Commissioner shall determine; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

14-50-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Nathan Tannenbaum, owner.

SUBJECT—Application reopened March 18, 1952 as Vol. II—re application—decision of the Borough Superintendent under section 21 of the Zoning Resolution, to permit in a residence use G-1 area district the maintenance of existing dwelling without the required rear yard, without the required front yard set back, without the required side yard to permit stoop to encroach on side yard, using more than the area permitted.

PREMISES AFFECTED—80-63 208th Street, east side, 162.16 feet north of 82nd Avenue, Block 7782, Lot 14, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: James Vassalotti.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on March 18, 1952 subject to regular procedure, to consider new decision; and

WHEREAS, a public hearing was held on this application on November 17, 1953 after due notice by publication in the Bulletin, and laid over to December 8, 1953 for inspection and decision; applicant to submit information on meters and installation of tank; hearing closed; and

WHEREAS, a public hearing was held on this application on December 8, 1953 after due notice by publication in the Bulletin; application denied; and

WHEREAS, this application was reopened for re-hearing by order of the Court and for applicant to send out notices by regular mail to all of the owners on the owners list, which should be checked to date, all other requirements being waived; and

WHEREAS, a public hearing was held on this application on October 15, 1958 after due notice by publication in the Bulletin; laid over to October 28, 1958, for inspection and decision; hearing closed; then to December 2, 1958, at the request of the applicant to submit a complete report of the conditions to the Board and statement as to occupancy by three families as indicated by the three bells at the side door; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 82nd Avenue and 208th Street are in a residence use, G-1 area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 28, 1951 acting on N.B. Applic. No. 5539-51, reads:

"2. Rear yard must comply with Article IV Sec. 16c of Zoning Res.

3. Front yard setback must comply with Art. IV Sec. 16c of Zoning Res.

4. Five foot minimum side yard required per Art. IV Sec. 16c of Zoning Res.

5. Stoop encroaches on side yard and is contrary to Art. IV Sec. 16c of Zoning Res.

6. Area occupancy of structure on plot is contrary to Art. IV Sec. 16c of Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, on which is located a building 20.03 feet front by 65.05 feet in depth, irregular, one story and attic, 15 feet 6 inches in height, of class 3 construction, presently used as a dwelling; that it is proposed to permit the existing dwelling to be continued as now occupied; and

WHEREAS, the applicant further states that as of July 25, 1916 the portion of the property within 100 feet of Hollis Court Boulevard was zoned as a business district and the remainder was in a residence district; that the present use district designation became effective on June 1, 1934; that the property was zoned as a D area in 1916 and was changed to F area on August 22, 1946 and to G-1 area on February 7, 1949; that the premises are developed with a 1½ story stone and brick veneer dwelling, occupied by one family; and

WHEREAS, the applicant contends that plans for the building were filed under N.B. Applic. No. 5264-48, but said plans were never approved; that due to the illness of the owner's wife, it was necessary to design a building with all of the rooms on one floor for her use, and provide living quarters in the attic for the rest of the family; that the house was finished and is now being occupied; and

WHEREAS, the applicant contends as to Item No. 2 issued by the Borough Superintendent, that the building has a rear yard of 14.92 feet in lieu of the required 20 feet, but this occurs for only 20.03 feet in width of the building, and the remainder of the building has more than the required rear yard; that the premises in question are located on a terrace above curb level, said terrace starting at the building line and sloping upwards and leveling off for the entire lot; that this same condition holds true for the lots adjoining to the north and south; that Article 1, Subdivision d, under definitions, states that the curb level for the purpose of measuring the height of any portion of a building is the mean level of the curb in front of such building except where the building has a front yard setback of 25 feet, or more, than the average level of the land immediately adjacent to the building, shall be considered the curb level; that the building to the north has a front yard setback of only 15.40 feet and the building to the south has a front yard setback of only 19.88 feet; that as these buildings do not conform to the 25 feet or more setback requirements, their rear yards should start at curb level in place of terrace level, as is the condition present here; that they have created a condition as much in contravention of the Zoning Ordinance, with their rear yards being composed of a grass terrace as the building in question, having only a 14.92 foot rear yard in lieu of the required 20 feet; that it would therefore create a hardship to have part of the present building demolished to conform to a strict ruling of the Zoning Ordinance; and

WHEREAS, the applicant contends as to Item No. 3 issued by the Borough Superintendent, that the present front open porch now sets back 8.99 feet to the building line, in lieu of the required 15 feet, but the porch will be altered to set back 15.40 feet of the building line, and so will be the same distance back of the line as the building to the north; that the

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only variance with the Zoning Ordinance then will be for 12 inches, which is the width of each retaining wall and which is required because of the terrace conditions, which also occurs on premises to the north and south; that the outside steps, which are incorrectly also considered part of the building, are also required because of all three terrace conditions; and

WHEREAS, the applicant contends as to Items Nos. 4 and 5, that the Zoning Ordinance required a 5 foot side yard on both sides; that the building has a 4.95 foot yard on one side and an 8.99 foot yard on the other side; that the small difference of .05 feet does not affect the community and it would be a hardship to demolish a 65 foot long wall for this small difference; and

WHEREAS, the applicant contends as to Item No. 6, that the premises in question are located on a terrace, and as areas are calculated at curb level the building, plus all of its adjoining yards, is occupying 100 per cent of the area of the lot; that if the area of the building could be computed at the terrace level, it has an area of only 2100 square feet, and if the allowable 45 per cent of 5,000 at curb level, as per zoning, could be used at terrace level, which is 2,251 square feet, the building would not exceed the area, as it only occupies 2,100 square feet; that Article 1, Subdivision d, under definitions, states that the curb level for the purpose of determining open spaces, is the mean level at the highest curb level, except where a front yard has a setback of 25 feet or more, then the area can be calculated at level of land immediately adjoining to the building, which in this case would be the entire lot upon a terrace; that the building in question will only have a 15.40 foot front yard; that the building adjoining to the north only has a 15.40 foot front yard; while the building to the south has a 19.88 foot front yard; that therefore, none of these three buildings comply with the 25 foot front yard requirements and all three plots can be considered as occupying 100 per cent of the area of the lot; that it would be a hardship to demolish this building, or not be allowed to calculate the permissible coverage at terrace level, when all three are in contravention of a strict interpretation of the Zoning Ordinance; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board who found the same illegal conditions as before but which are now proposed to be corrected; it was noted that at the side door there are three push button bells usually indicating that the building is occupied by three families; and

WHEREAS, the Committee recommends that the application be granted on condition; that all the changes shall be made as proposed; that the building shall continue for occupancy of one family only and that the stack of combustible materials be removed from the premises where now existing in the open side yard; that the faulty garage roof construction be corrected and made safe; and

WHEREAS, this was referred by the Court for further hearing; the hearing has been held and the premises have been again inspected by a committee of the Board and revised plans furnished by the applicant under which they propose to enlarge the rear yard and to reduce the construction over the garage so as to provide a front yard of the required width and to limit the occupancy of the residence to one family; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 to permit the continuance of the existing single family residence building as now proposed on revised plans marked "Received November 20, 1958," 6 sheets, on condition that the rear yard shall be maintained at the increased width of 20 feet, as shown; that the construction over the garage shall be reduced so that the porch in front of the house shall be

as shown and not beyond the distance of the porch on the adjoining house to the north; that the building shall be occupied solely as a one-family building; that the side court shall be maintained of the width as shown; that in all other respects the building and occupancy as a single family residence building shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

838-50-BZ—Vol. II

APPLICANT—Larry Meltzer for Attilio Bonassin, owner.
SUBJECT—Application reopened June 17, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, of an existing gasoline service station, an extension of the existing accessory building to provide additional space for car washing—non automatic, and the parking of more than five (5) cars awaiting service, this extension to replace work area that was taken to provide for a twenty foot street widening.

PREMISES AFFECTED—3763-3777 Nostrand Avenue, northeast corner of 2925-2933 Avenue Y, Block 7422, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 17, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; applicant to file revised plan showing corrected arrangement of proposed building as extended, hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Nostrand Avenue are in a local retail use, D area, class 1 height district; Avenue X and Avenue Y are in local retail and residence use, D area, class 1 height districts; Haring Avenue is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 7, 1958 acting on Alt. Applic. No. 1246-58, reads:

"1. Proposed extension of plot and building, in a Local Retail zone, to be used for gasoline service station, office, sales and storage of auto accessories, lubritorium, minor repairs with hand tools only, car washing (non-automatic) parking of more than five (5) cars waiting service is contrary to Article II, PP. 4-C of the Zoning Resolution and contrary to the Bd. of Standards and Appeals variance granted under Cal. #838-50-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 140 feet frontage by 70 feet and 85 feet in depth, improved with a gasoline service station which was established under a variance granted by the Board under Cal. No. 838-50-BZ on April 1, 1952 under N.B. Applic. No. 1656-50 for a term of fifteen years, expiring April 1, 1967; that Certificate of Occupancy No. 137370 authorizes the use of these premises as gasoline service station, auto repairs, car washing, lubritorium and sales room; that it is proposed to increase the size of the reduced lot by increasing the frontage on Nostrand Avenue by 40 feet; that the increased lot will now have a frontage of 140 feet on Nostrand Avenue and a depth of 70 feet on Avenue Y; that it is also proposed to increase the size of the accessory building to the north by adding an extension 22 feet by 30 feet 4 inches; that the size of the lubritorium will then be increased and the

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non-automatic car wash will be re-located into the new extension; and

WHEREAS, the applicant states that at the time of the variance, the size of the lot was 100 feet fronting on Nostrand Avenue with a depth of 90 feet along Avenue Y; that also at that time the legal width of Nostrand Avenue was 80 feet; that on June 15, 1956 Nostrand Avenue, by condemnation proceedings, was widened on the easterly side only, to a width of 100 feet; that as a result, the depth of the plot was reduced from 90 feet to 70 feet and the gasoline station was deprived, on Nostrand Avenue, of 40% of the working area in front of the accessory building; and

WHEREAS, the applicant contends that the loss of twenty feet of land in front of the gasoline station, which was taken by the City for street widening, has decreased the working area and has created a demand for a replacement area in order to properly carry out the functions of a gasoline service station; that directly in the rear of the forty foot plot which is proposed to be added, is located the parking lot for a new multiple dwelling fronting on Haring Street; that this cannot be adversely affected by the proposed extension; that the architecture of this extension will conform with the architecture of the existing building; that the treatment on the north lot line will be the same as that which was used before, so that the vacant land to the north will not be adversely affected; that since the site is already established as a gasoline service station, and since the owner has been deprived of a large portion of his station as a result of the street widening, and since the extension would provide better facilities for the growing community, the granting of this application is requested; and

WHEREAS, the applicant states that the present owner has held title to the property since 1932; that the assessed valuation of land is \$17,500 and of the building \$17,000 making a total of \$34,500; that the building was erected November 25, 1953; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 1, 1952, by adding thereto:

"that in the event the owner desires to extend the plot and the accessory building because of the losing of space due to the widening of Nostrand Avenue such extension may be permitted as proposed and indicated on plans filed with this application marked, 'Received May 20, 1958,' 7 sheets, and revised plans marked, 'Received November 20, 1958,' 7 sheets, on condition that the extension of the area and building shall be as shown on such revised plans; that the requirements of the resolution above cited shall be complied with similarly for the extension where applicable including fencing on a new lot line similarly previously to required; that a new Certificate of Occupancy shall be obtained; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

657-52-BZ

APPLICANT—Rose S. Maute, owner.

SUBJECT—Application reopened October 28, 1958 for consideration as to extension of term of variance—re Application, decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, for a term of years, the parking and storage of motor vehicles.

PREMISES AFFECTED—282-284 Bonner Place, south side, 125 feet east of Morris Avenue, Block 2423, Lots 11 and 12, Borough of The Bronx.

APPEARANCES—

For Applicant: Rose S. Maute.

For Opposition: None.

ACTION OF BOARD—Term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of the term of variance, which had expired by time limitation November 20, 1958; and

WHEREAS, this application was reopened on October 28, 1958 and set for hearing on November 18, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for applicant to file new decision of the Borough Superintendent; and

WHEREAS, a public hearing was held on this application on December 2, 1958, after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated November 19, 1958 acting on Alt. Applic. No. 662-52, reads:

"2. Proposed parking and storage of motor vehicles on vacant portion of plot within a Residence district is contrary to Art. II Sect. 3 of the Zon. Res."

and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 27, 1953, only so far as it refers to the term of the variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision h for a term of 5 years from the date of this amended resolution, to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that all permits, including a new Certificate of Occupancy, and all work completed within six months from the date of this amended resolution."

651-56-BZ

APPLICANT—Harry G. Savran, for Mabel F. Fredericks, owner.

SUBJECT—Application reopened November 12, 1958 for consideration as to extension of time to complete, expired June 10, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of motor vehicles.

PREMISES AFFECTED—514-516 West 168th Street, south side, 120 feet east of Audubon Avenue, Block 2123, Lots 86 and 87, Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Savran.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation on June 10, 1958; and

WHEREAS, this application was reopened on November 12, 1958 and set for hearing on December 2, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except

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a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated October 20, 1958 acting on amendment to Alt. Applic. No. 173-56, reads:

"1. A parking lot for more than 5 motor vehicles located in a residence use district is contrary to Art. 2 Par. d3 Zoning Resolution.

Reconsideration of this objection was denied Nov. 27, 1957. It will not be further considered.

1. Redenied for purpose of receiving extension of time."

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 28, 1957, only insofar as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed and a certificate of occupancy obtained within six months from the date of this amended resolution."

649-56-BZ

APPLICANT—Henry Nordheim, for Ignazio Arnone, owner.

SUBJECT—Application reopened November 5, 1958 for consideration as to extension of time to complete, expired July 23, 1958—decision of the Borough Superintendent, previously granted on condition under sections 7b and 21 of the Zoning Resolution, permitted in a residence and unrestricted use district, the erection of a one story non-storage garage.

PREMISES AFFECTED—911 Sacket Avenue, north side, 94 feet east of Bronxdale, Avenue, Block 4058, Lots 25 and 26, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph O'Mara and Charles H. McHugh.
For Opposition:

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation on July 23, 1958; and

WHEREAS, this application was reopened on November 5, 1958 and set for hearing on December 2, 1958 at 10 A.M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated October 6, 1958 acting on amendment to Alt. Applic. No. 1761-56, reads:

"1 & 2. No work started within a year of Bd. of S & A Cal. #649-56-BZ and does not meet the requirements of Sect. 22A."

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 23, 1957, only insofar as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed and a certificate of occupancy obtained within the requirements of Section 22A of the Zoning Resolution."

551-57-BZ—Vol. II

APPLICANT—Hurley, Kearney and Lane, for Samuel Eidelberg, and Jeffrey Rosenberg, owners.

SUBJECT—Application reopened October 7, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7d, 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of a Mutual Savings Bank building thereon and the use of the unbuilt upon portions thereof for the parking of motor vehicles belonging to patrons and employees of the bank.

PREMISES AFFECTED—9502-9518 Seaview Avenue, southeast corner of East 95th Street, Block 8318, Lots 8, 9, 14 and 16, Borough of Brooklyn.

APPEARANCES—

For Applicant: Reginald S. Hardy and George Lane.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on October 7, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 95th Street, East 96th Street, Rockaway Avenue and Seaview Avenue are in a residence use, F-1 area, class ½ height district; that on July 25, 1916 the premises were included in business use, A area and 1½ times height districts; that since that time the following changes in zoning have occurred—November 28, 1938, the use designation was changed from business to residence district; that on November 28, 1938 the property was included in an F area district; that on May 12, 1955 the area district designation was changed into its present designation of F-1 and on November 28, 1938 the original 1½ times height district was changed to a class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 8, 1958 acting on N.B. Applic. No. 1295-58, reads:

"1. The proposed construction of a building to be used as banking room, toilets, lunch room and lounge with accessory parking in open spaces for patrons and employees, with curb cuts in a residence use district is contrary to the Zoning Resolution, Art. II, Sect. 3."

and

WHEREAS, the applicant states that the premises consist of a plot, 146 feet 1¼ inches frontage by 326 feet 7⅞ inches in depth, irregular, presently vacant; that it is proposed to erect a one story and mezzanine brick building having a frontage of 82 feet and a maximum depth of 48 feet and will be 20 feet 6 inches in height at its highest point; that this building will face Seaview Avenue but will be set back 15 feet therefrom; that the building will be used as a banking room, including executive offices, lunch room for employees only and employees lounges; that the unbuilt upon portions of the premises will be used for the parking of motor vehicles belonging to employees and patrons of the bank; that it is proposed to level this portion of the property substantially to the grade of Seaview Avenue and to provide a suitable surface therefor; that this parking area will be enclosed by a wrought iron fence, five feet in height, erected along the street lines, and a chain link fence of similar height, along the easterly lot line between the subject premises and the adjoining property in block 8318, lot 6; that entrance to the parking area will be afforded by a driveway,

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20 feet in width, leading from East 95th Street at the rear of the banking building; that exit therefrom will be by means of a driveway leading to Seaview Avenue near the easterly side of the property; that both entrance and exit will be equipped with gates, which will be closed when the bank is not open; and

WHEREAS, the applicant states that a portion of the premises under appeal were the subject of an application under Cal. No. 551-57-BZ, Vol. I, for permission to erect a gas station; that a hearing was held on February 18, 1958, the premises were inspected, but the application was withdrawn on March 18, 1958 prior to a vote by the Board; that the premises located at the northwesterly corner of Seaview Avenue and Rockaway Parkway in block 8299, lot 68, are now improved with a gas station which was erected under Cal. No. 709-55-BZ, Vol. II; that the southwesterly corner of Seaview Avenue and Rockaway Parkway in block 8328, lot 30, is improved also with a gas station erected under Cal. No. 636-54-BZ, Vol. II; that the Board had occasion to consider another application for a zoning variance in this immediate vicinity, affecting the northeasterly corner of Seaview Avenue and East 95th Street in block 8298, lot 7, which was denied on November 19, 1957; that the Board also granted permission to reconstruct and extend the gas station on the westerly side of Canarsie Road, 94 feet south of Seaview Avenue in block 8316, lot 41 under Cal. No. 477-48-BZ; and

WHEREAS, the applicant further states that Seaview Avenue is a wide thoroughfare running in a generally easterly direction; that although a relatively large amount of the property in the area is unimproved, it now accommodates a substantial amount of vehicular traffic which will undoubtedly increase very materially in the future; that Rockaway Parkway, which is approximately a block and a half to the east of the premises, is a principal traffic artery running in a generally southerly direction, is 100 feet wide and accommodates a great deal of automobile traffic at all times; that East 95th Street, upon which the premises also abut, is but 60 feet wide; that to the north of Seaview Avenue, the center of the street is improved with a narrow pavement so that it is passable, but to the south of Seaview Avenue it is unimproved and unopened, as is Rockaway Avenue at this point; that much of the property fronting upon Seaview Avenue to the west of the site is unimproved, but the properties to the east have been improved and there is a substantial residential and business area located along Seaview Avenue to the east of Rockaway Parkway; that the premises located on the westerly side of Rockaway Parkway, south of Seaview Avenue, have recently been improved with a large supermarket and shopping center, including a large parking area for patrons; that the property along the southerly side of Seaview Avenue to the east of the site, extending from East 96th Street and Rockaway Avenue to Rockaway Parkway, including that upon which the shopping center is erected, is in a restricted retail district wherein the proposed banking building might be erected without a variance; and

WHEREAS, the applicant contends that there are a number of factors which militate against the improvement of the site with a conforming use; the gas stations which are located to the east and west of the site; the supermarket and shopping center to the east of the site, and it will be noted in this connection that the subject premises overlook the rear of this center; the size and shape of the premises and in this connection the attention of the Board is directed to the fact that substantially all of the improvements in this area have been part of large scale building programs; that most of the development along Seaview Avenue has occurred on the portion which lies to the east of Rockaway Parkway; that for some reason, there has been little activity west of that thoroughfare; and

WHEREAS, the applicant contends that the erection of a mutual savings bank building on the site would be a valuable asset to the community and it obviously would be in keeping with the character of the development to the east of the property; that the proposed building is of attractive design and plans provide for adequate parking facilities for patrons

and employees, not only for the present but for many years to come; that the granting of this application would result in a material improvement of conditions in the entire neighborhood; that a factor which cannot be overlooked is the fact that a neighborhood savings bank is a social attribute to a community; that equally important is the fact that the granting of this application would create additional tax revenues for the City of New York; that the unpaid taxes on the premises now amount to \$8,500, which would be paid immediately upon closing of title; and

WHEREAS, the applicant further contends that as pointed out above, this application for a variance is made pursuant to Section 7, sub-divisions d and e of the Zoning Resolution; that Section 7d empowers the Board to vary the application of the use district restrictions to permit in a residence district any building or use in keeping with the uses expressly enumerated in Section 3 as the purposes for which buildings or premises may be erected or used in a residence district; that Section 3 expressly permits premises in a residence district to be used for clubs, churches, public buildings such as schools, libraries, museums, police stations, fire houses, philanthropic institutions, hospitals, health centers, medical centers, railroad passenger stations, nurseries, green houses and certain types of administrative offices, laboratory projects and light industrial plants; that a mutual savings bank of the type proposed here is a use in keeping with the various uses expressly authorized by Section 3 as set forth above; that at this point it is not necessary to discuss the functions and operation of mutual savings bank at length, but it is felt that they are comparable to uses specifically enumerated in Section 3 of the Zoning Resolution and that therefore the Board is empowered to grant under Section 7, subdivision d; that if, however, the Board is of the opinion that Section 7, subdivision d is not applicable to this proceeding, it is urged that relief be granted under Section 7, subdivision e for a stated period of years of sufficient duration to permit Kings Highway Savings Bank to amortize its prospective investment in this property and the improvements to be erected thereon; and

WHEREAS, the applicant states that the present owners have held title to the property since August 13, 1956 and October 22, 1956 and that the assessed valuation of land is \$22,200; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of twenty-five years to permit the construction of the bank building as proposed and under Section 7h for a similar term to permit the rear area to be occupied for the parking of motor vehicles belonging to the employees and patrons of the proposed bank where shown *on condition* that the building shall in all other respects comply with all laws, rules and regulations applicable thereto; that the portion to be occupied for parking shall be suitably paved and shall have on all lot lines, where shown, a woven wire fence of the chain link type, or of steel pickets on a masonry base to a total height of 5' 6" and without openings therein except one as shown at East 95th Street and Seaview Avenue; that suitable bumpers shall be maintained at a distance of not less than three feet away from such fence continuously at all points; that curb cuts shall be restricted to one curb cut to East 95th Street not over 20 feet in width, and with entrance in the fence of similar width; that additional curb cut may be to Seaview Avenue, as shown, not exceeding 14 feet in width; that at both entrances and exits there shall be gates installed which shall remain closed when the bank and parking field are not in operation; that during the term of this variance the premises shall be occupied for no other use than as herein pro-

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posed and permitted; that signs advertising the parking use limited as above, may be attached to the fence at each entrance provided such signs do not exceed five square feet each and do not extend beyond the building line and are not illuminated; that sidewalks and curbing abutting the premises on all streets shall be constructed and maintained in accordance with the requirements of the Borough President; that such portable fire-fighting appliances shall be maintained in connection with the parking as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

764-57-BZ

APPLICANT—Herman Kron, for Onofrio Civitano, owner.

SUBJECT—Application October 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for more than five (5) motor vehicles.

PREMISES AFFECTED—961 Bolton Avenue, west side, 73 feet south of Bruckner Boulevard, Block 3670, Lots 31 and 54, Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 12, 1958, after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site Bruckner Boulevard, Underhill Avenue, Bolton Avenue and Story Avenue are in a residence use, C area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated October 18, 1957, acting on Alt. Applic. 709-57, reads:

"1—Parking and storage of motor vehicles in a residence district is in violation of Section 3, Article 2, Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot 50 feet frontage by 204.11 feet in depth; that it is proposed to level the premises and the entire area to be cinder filled with a suitable binder to prevent dusting; that it is also to fence the building and lot lines with a woven wire fence not less than 4 feet 6 inches in height with steel posts placed in concrete; that the owner is willing to surround the premises with such safeguards as the Board may deem necessary; and

WHEREAS, the applicant contends that the site is located in the vicinity of the amusement center located one block to the east where parking of automobiles is a necessity for the public; that at the present time there is no other use to which this property can be put; that the future development of this neighborhood will mean the erection of apartment houses; that no apartment buildings or development projects are feasible in the next 10 or 20 years; that the entire area was filled in years ago and was and it is now used as a dumping ground; and

WHEREAS, the applicant states that the present owner has held title to this property since August 1, 1954; that the assessed valuation of the land is \$700.00, making a total of \$700.00; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h for a term of five years to permit the plot to be occupied for parking and storage of motor vehicles substantially as proposed and as indicated on plans filed with this application marked "Received October 25, 1957," one sheet, and "June 5, 1958," one sheet, on condition that the plot shall be leveled substantially to the grade of Bolton Avenue and filled to grade as may be necessary and surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that on all lot lines there shall be erected a woven wire fence of the chain link type not less than five feet six inches in height, with no openings therein except one to Bolton Avenue not over ten feet in width with curb cut opposite not over twelve feet in width, such opening shall be fitted with gates of similar construction as the fencing; that suitable bumpers shall be maintained at all points for protection to the fence; that sidewalks and curbing abutting the premises on both streets, where opened, shall be repaired as may be required by the Borough President; that signs shall be restricted to permanent signs attached to the fence advertising the parking and storage use and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet, shall not be illuminated and shall not extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require; that during the term of this variance the premises shall be occupied for no other use than the use herein permitted; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

133-58-BZ

APPLICANT—Leonard F. Rothkrug, and Herbst and Rus-
ciano, for Ralph Porco, owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the approved parking lot for more than five (5) motor vehicles located on the business portion of the premises into the residence portion.

PREMISES AFFECTED—4441-4449 White Plains Road, west side, 137.56 feet south of East 239th Street, Block 5069, Lots 45, 47, 49, 51 and part of Lot 44, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East 239th Street are in business and residence use, C area, class 1 height districts; White Plains Road is in a business use, C area, class 1 height district; Nereid Avenue is in business and local retail use, C area, class 1 height districts; Richardson Avenue is in local retail and residence use, C area, class 1 height districts; that there has been no change in use, height or area designations affecting this plot since July 25, 1916; and

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WHEREAS, the decision of the Borough Superintendent, dated March 13, 1958 acting on amendment to Alt. Applic. No. 542-57, reads:

"1. The proposed use of the residential use district portion of the parcel for parking for more than 5 motor vehicles is contrary to Article II Sec. 3 of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 136.1 feet frontage by 150.48 feet in depth, presently vacant, except that it is being altered under approved Alt. Applic. No. 542-57 as a parking lot in the front 100 feet, located in a business use district; that it is proposed to extend the parking lot use, approved in the front 100 feet of the plot, into the residence use district portion of the premises; and

WHEREAS, the applicant states that White Plains Road is zoned business and a parking lot is a permitted use in a business use district; that the tax block on which the site is located is greater than 200 feet in width so that the lots fronting on White Plains Road and the lots fronting on Richardson Avenue are greater than 100 feet in depth, the usual depth of tax lots; that this unique condition results in the division of the site into two use districts; that the front 100 feet is in a business use district and the rear portion of the plot is in a residence district; that the same division of use districts exists in the properties to the south; and

WHEREAS, the applicant further states that there will be no curb cuts or signs within the residence zone; that the curb cuts and signs will not be changed from that approved under the alteration application; that the owner of these premises conducts a catering business under the name of Wakefield Casino at 4421 White Plains Road, block 5069, lot 57, within this same tax block; that the parking lot is principally used in conjunction with this catering use; and

WHEREAS, the applicant contends that there is no economic use for that portion of the premises within the residence use district; that this rear portion of the site abuts and adjoins lots which are presently developed and are presently greater in depth than the usual lot and do not require any additional land; that no purpose would be served in keeping this rear portion of the plot vacant; that the 100 foot use district line zoning, typical for the City in general, works a hardship on those tax lots which do not fit the typical dimensions of tax lots, and is confiscatory; and

WHEREAS, the applicant states that the present owner has held title to the property since October 11, 1956 and that the assessed valuation of land is \$23,800; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommends to extend the existing parking lot within the business area into the rear portion zoned for residence; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7 c, to permit the extension of use into the more restricted district substantially as proposed and indicated on plans filed with this application marked, "Received March 18, 1958," 3 sheets, and "July 9, 1958," 1 sheet, on condition that the added portion shall be leveled substantially to the grade of White Plains Road portion of the plot and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on the interior and rear lot lines to join up with the fences as previously required under the rules of the Department of Buildings, a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches; that there shall be no opening in such fence; that all entrances and exits shall be by means of the gated openings to White Plains Road; that a new Certificate of Occupancy shall be obtained; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

134-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bailey Realty Corp., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of the premises as a parking lot for pleasure type vehicles only, non transient and non commercial, for a term of five (5) years.

PREMISES AFFECTED—3910 Bailey Avenue, east side, 195.4 feet southwest of Van Courtlandt Avenue, Block 3263, Lot 41, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper..... 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; applicant to submit corrected plans; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Bailey Avenue and Van Courtlandt Avenue are in a residence use, B area, class 1¼ height district; Orloff Avenue is in a residence use, B and E-1 area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 13, 1958 acting on Alt. Applic. No. 1194-57, reads:

"1. The proposed use for the lot as a parking lot (non-transient) (pleasure-type vehicles only) in a residence use district is contrary to Art. II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 115 feet in depth, presently vacant; that it is proposed to maintain the premises as a parking lot, non-transient and non-commercial, for pleasure type vehicles only; and

WHEREAS, the applicant states that there is an urgent need for off street parking facilities in this neighborhood; that the six story apartment house buildings to the south of the site along Bailey Avenue were erected prior to the effective date of the amendment of the Zoning Resolution, which now requires off street parking facilities in conjunction with multiple dwellings; that similarly, many of the one and two family dwellings within the area have no private garage or off street parking facilities; that there are no existing parking lots or public garages in the neighborhood; that this area has a higher than ordinary per capita ratio of automobiles; that in view of these facts, there is bumper to bumper parking and many of the residents have to park their cars a considerable distance away from their dwellings; that in addition to the normal parking shortage that has existed for several years in this neighborhood, the situation has been aggravated by alternate street parking regulations, now effective; and

WHEREAS, the applicant contends that the proposed use is in the nature of a conforming use in a residence district; that if a multiple dwelling is erected at the present time, accessory parking facilities would be a mandatory requirement; that the proposed parking lot will have none of the large signs or transient parking which is associated with parking lots; that there will be no parking of any buses or trucks, and parking will be limited to residents of the immediate area; that there will be no attendant and the gates to the lot will be locked at all times, with each patron being provided with a key; and

WHEREAS, the applicant further contends that there is no economic demand for the development of these premises at

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this time with a conforming use; that there is a considerable amount of vacant land within the neighborhood, and the owner of the subject premises has an interest in a large part of this vacant land; that the parking lot is proposed for a temporary term of five years, and the owner hopes that during that period, an economic demand will exist and financing will be available for development of the premises and the surrounding vacant area with conforming uses; and

WHEREAS, the applicant states that the present owner has held title to the property since April 5, 1956 and that the assessed valuation of land is \$11,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the committee noted the minor revisions of the letter of November 19th and recommends that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 1194-57, Objection No. One be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

194-58-BZ

APPLICANT—Leonard F. Rothkrug, for Murray and Serena Mintz, owners.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of an extension to an existing one family dwelling and accessory dental office with less than the required setback.

PREMISES AFFECTED—141-60 73rd Avenue, northwest corner of Vleigh Place, Block 6624, Lot 29, Kew Gardens Hills, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Vleigh Place, 73rd Avenue, 73rd Terrace and 141st Street are in a residence use, G-1 area, class ½ height district; that on January 25, 1916 the premises was located in a D area district and was rezoned to its present designation on February 7, 1949; and

WHEREAS, the decision of the Borough Superintendent, dated March 19, 1958 acting on Alt. Applic. No. 99-58, reads:

"1. The proposed extension does not have the setback required in a G-1 district and is contrary to Sec. 16-C(b) of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 46.86 feet frontage by 100 feet in depth, irregular, on which is located a two story dwelling of class 4 construction, erected in 1942 when the premises was in a D area district under N.B. Applic. No. 587-40 and occupied under Certificate of Occupancy No. 26086-42 as a one family dwelling; that the building was altered under Alt. Applic. No. 587-53 and occupied under Certificate of Occupancy No. Q102354 issued April 29, 1955 as a one family dwelling with accessory dental office, that on the premises is also located an accessory one car garage erected under N.B. Applic. No. 588-40 and occupied under Certificate of

Occupancy No. 25603 issued April 14, 1942; that it is proposed to extend the building by erecting a one story extension within the setback from Vleigh Place in a G-1 area district; and

WHEREAS, the applicant states that the building was erected when the premises was located in a D area district and there was no requirement for a 15 foot setback from Vleigh Place; that the existing structure presently encroaches within the required setback and permitted to be maintained only because it was erected before the G-1 area zoning; that the premises is unique in that it is a corner plot, irregular in area, formed by the intersection of two streets which meet at an unusual angle; that the plot is small in area and is only 24.07 feet in width at the southerly lot line; that if the G-1 area district had been in effect at the time of construction of the subject building, then it would have been impossible to have been erected; that if setbacks of 15 feet from both street frontages and a 5 foot side yard had been required then because of the unique shape of the plot, it is doubtful whether any satisfactory dwelling could have been erected; that the existing garage building also encroaches within the required setback; that the proposed extension is between the existing building and the garage; that the proposed extension does not extend into the newly required setback any more than the existing structures; and

WHEREAS, the applicant contends that a grant of the variance will not adversely affect any other property owners; that the only property owner who could possibly be affected is the property adjoining to the south along Vleigh Place; that this adjoining property is separated from the site by the garage building; that in addition, this adjoining property was improved when the premises was in a D area district and when the proposed extension would have been permitted; that there is no adjoining property available for purchase; that the owner requires the additional area for his family's living quarters; that the owner has established his dental practice in this neighborhood; that it is proposed to maintain the existing 20 foot setback from 73rd Avenue and the existing 5 foot setback from Vleigh Place; and

WHEREAS, the applicant states that the present owners have held title to the property since February 11, 1950; that the assessed valuation of land is \$6,000 and of the building \$7,500 making a total of \$13,500; that the building was erected in 1942; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, although not clearly stated in the applicant's papers filed with this application, he informed the Board at this meeting that the space to be added to the residence was for a recreation room for the family, and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 as to use and area to permit the extension of the single family dwelling having an accessory dental office for the dentist living on the premises in the residential building substantially as proposed and as indicated on plans filed with this application marked "Received April 2, 1958", 6 sheets, and to permit such extension to be located not nearer than five feet from the street building line of Vleigh Place; that such building shall in all other respects comply with the requirements of the Building Code and Zoning Resolution; and that the dentist's quarters may continue for the office of the dentist living in the dwelling and that all permits shall be obtained and all work completed and a certificate of occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

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284-58-BZ

APPLICANT—John J. Tricarico, for Baribay Co., Inc., owner.

SUBJECT—Application May 7, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station with accessory uses of minor auto repairs with hand tools only, car wash—non automatic, lubritorium, office and accessory sales and the parking and storage of more than five (5) motor vehicles all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2310-2322 Stillwell Avenue, 2-4 28th Avenue, northwest corner and 2759-2777 Bath Avenue, Block 6887, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Tricarico.

For Opposition: C. J. Cammarato, N.Y.C. Housing Authority.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection and decision; hearing closed; then to December 2, 1958, for applicant to obtain from the owner of record an affidavit if it turns out that Frank Piscopo is not the owner individually but that the premises are owned by the company of which he is president; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Stillwell Avenue, Bath Avenue, Bay 47th Street and 28th Avenue are in a local retail use D area, class 1 height district; that on July 25, 1916 the property was in a business use district and was rezoned to its present designation on February 18, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated May 2, 1958 acting on N.B. Applie. No. 615-58, reads:

"1. Proposed gasoline service station, auto (minor) repairs, car wash, lubritorium, office (access.) sales, parking & storage of more than five motor vehicles within a local retail use district is contrary to Art. II, Par. 4-c of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 121 feet 4¾ inches frontage by 33 feet 8¾ inches in depth, irregular, presently vacant; that it is proposed to erect a modern gasoline service station with minor auto repairs using hand tools only, non-automatic car wash, lubritorium, office and accessory sales, parking and storage of more than five motor vehicles, for a temporary term of fifteen years; that the proposed accessory building is approximately 63 feet by 30 feet, one story in height, of class 3 construction and highly modern in design; and

WHEREAS, the applicant states that the site is located in a poorly and sparsely developed neighborhood, plagued with a noisy elevated railroad which darkens Stillwell Avenue; that this unattractive physical condition has stunted the development of this area, and this is borne out by the many vacant plots in the affected area; that the premises cannot be economically developed with a conforming use; that the odd shape of the lot and D area zone restrictions make any sizeable building impossible to construct; that any demand for retail stores or for a shopping center has already been met by the large chain store supermarket located directly across from the proposed; that this store is now barely able to maintain itself; and

WHEREAS, the applicant contends that there is a need for a gas station at this location as the fairly new housing project in the area has created a demand for the essential community service provided by a gas station; that this need can be met and still safeguard the community's rights and

health by granting a temporary variance, subject to the appropriate conditions; that Stillwell Avenue is a main auto lane to Coney Island and as such, the proposal is entirely in keeping at this point; that tax assessments are high and the owner is seeking a means for an equitable return on his investment, and if this application is granted it would increase the City assessments and enable the owner to meet the increased tax; and

WHEREAS, the applicant states that the present owner has held title to the property since January, 1955 and that the assessed valuation of land is \$7,700; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e, for a term of 15 years to permit the premises to be occupied as a gasoline service station and lawfully uses accessory thereto, substantially as proposed and indicated on plans filed with this application marked, "Received May 7, 1958," 4 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be constructed and maintained substantially as indicated on plans above cited; that the accessory building shall be of the arrangement, design and location as shown, without cellar, and faced with face brick on all sides, and in all other respects comply with the requirements of the Building Code; that the doors to the toilet rooms shall not be contiguous; that pumps shall be erected not nearer than 15 feet to the street building line of Stillwell Avenue and Bath Avenue; that the balance of the plot where not occupied by accessory building and pumps shall be paved with concrete or asphaltic pavement; that there may be two curb cuts to Bath Avenue and two to Stillwell Avenue, each 30 feet in width; that no portion of any curb shall be nearer than 5 feet to a lot line as prolonged; that at the intersections of Bath Avenue and 28th Avenue and Stillwell Avenue and 28th Avenue there shall be a block of concrete erected not less than 12 inches in height and running for 5 feet along each building line; that gasoline storage tanks shall not exceed ten 550 gallon approved gasoline storage tanks; that the sidewalk and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that on the rear lot lines to the north there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches, continuously from Bath Avenue and returning to the wall of the accessory building, and from the accessory building to Stillwell Avenue, as shown on such plans; with suitably constructed terminating posts; that there shall be no openings in the accessory building rear wall to adjoining premises; that during the term of this variance the premises shall be occupied for no other use and no other uses shall be permitted except those as herein before stated; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i, for a similar term minor repairs may be permitted with hand tools only for adjustment and maintained solely within the accessory building; that under Section 7h, for a similar term there may be parking of motor vehicles on such portion of the premises as where the parking will not interfere with the servicing of the station; that signs shall be restricted to permanent signs attached to the facade of the building and the illuminated globes of the pumps excluding all roof and temporary signs and advertising devices, but permitting the erection, where shown on the 28th Avenue building line, of one post standard for supporting a pair of signs, as indicated, advertising only the brand of gasoline on sale, and permitting such signs to extend beyond the building line for a distance of not more than 4 feet; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

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384-58-BZ

APPLICANT—New York Medical College, Flower & Fifth Avenue Hospitals, owner.

SUBJECT—Application June 19, 1958—decision of Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of the premises as a private parking lot for more than five (5) motor vehicles restricted to the staff of the medical college and hospital and visiting physicians.

PREMISES AFFECTED—1-15 East 106th Street north-side and 2, 4, 6, 12 & 18 East 107th Street, south side, 99 feet, 10 inches east of 5th Avenue, Block 1612, Lots 5, 60, 62, 66, 67 and 68, Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Buckley.

For Opposition: Louis H. Herger and William Kaufman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Fifth Avenue are in a residence use, B area, class 1½ height district; East 106th Street and East 107th Street are in residence and local retail use, B area, class 1½ height districts; Madison Avenue is in a local retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 6, 1958 acting on Alt. Applic. No. 707-58, reads:

"1. Proposed parking lot for more than five (5) motor vehicles in a residence use district is contrary to Article II Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 220 feet 2 inches frontage by 201 feet 10 inches in depth; that all of the area in question is vacant land; that lot 68 was vacant when it was purchased in January, 1958; that all of the remaining area, excepting lot 68, has been vacant property for at least 25 years; and

WHEREAS, the applicant further states that area A, shown on map of premises, Revision of July 24, 1958, was installed by the City of New York prior to acquisition by him; that said area A is a black top on miscellaneous fill, and is advised that no further surfacing is necessary on this area; that areas B and C consist of a miscellaneous fill covered with six inches of cinders compacted to four inches of cinders, and he is advised that these areas require no further surfacing; and

WHEREAS, the applicant states that the existing conditions of the property in question is that there are no buildings on the area for which a private parking lot is proposed; that the area extends from a point beginning 99 feet 10 inches easterly on 106th Street from the easterly side of Fifth Avenue extending a distance along 106th Street east 220 feet 2 inches and 100 feet 11 inches in depth and the adjoining property immediately north of said plot beginning approximately 99 feet 10 inches on the south side of 107th Street, easterly from the corner formed by the easterly side of Fifth Avenue and the southerly side of 107th Street, for a distance of approximately 96 feet, to an intervening plot on which a building is situated, having a frontage of approximately 41 feet, which lot and building is not included in the plot in question, and then extending a distance of an additional 82 feet along the southerly side of 107th Street, being 100 feet 11 inches in depth; and

WHEREAS, the applicant further states that immediately to the west of the premises and facing on Fifth Avenue, is a public parking lot; that to the east of the premises involved there are only four buildings remaining on the Madison Avenue side; that there are four vacant lots in this area;

that of the total area in this block, that is, approximately 80,400 square feet, approximately 66,100 square feet is vacant land; and

WHEREAS, the applicant contends that the Medical College and Hospital now occupies the entire front on Fifth Avenue, between 105th and 106th Streets, extending 325 feet east to and including 22 East 106th Street, and east 325 feet to and including 23 East 105th Street; that traffic congestion in the area creates a situation where doctors and ambulances which must temporarily park, have no facilities therefor; that numerous conferences have been had with the Traffic Commissioner of the City of New York relating to alleviation of the parking and traffic problems surrounding the Medical College and Hospital; that the Traffic Commissioner is of the opinion that there is no street space to park cars for doctors and necessary hospital vehicles, except through this proposed private parking lot; that doctors find it difficult, if not impossible, to park their cars when making necessary visits to the Medical College and Hospital; that there are times when ambulances must be temporarily parked and no facilities are available therefor; and

WHEREAS, the applicant further contends that at the present time and for many years prior to this application, more than 73 percent of block 1612 is and has been vacant land upon which no buildings exist; that the proposed parking lot would in no way detract from the area, but will improve the appearance and upkeep of the entire area; that persons living within the block normally do not travel westward on 106th Street; that there is little pedestrian traffic on the north side on 106th Street; that Central Park is on the west side of Fifth Avenue and normal pedestrian traffic is either eastward, southward or northward on Madison Avenue; that no entrance or exit is planned for East 107th Street and the lot would not interfere in any way with pedestrian traffic on 107th Street; that pictures numbered 1 to 8, taken in broad daylight on June 3, 1958, reveal that no person was on any of the sidewalks at the time the pictures were taken; and

WHEREAS, the applicant states that the present owner has held title to the property since November 6, 1957 and that the assessed valuation of land is \$223,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the committee also noted that the parking lot on Fifth Avenue which was granted by the Board under Cal. No. 598-52-BZ was not occupied, and apparently has not been used, and the committee recommends that notice should go to the applicant therein that the Board intends to cancel the resolution that expired March 3, 1958; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7h for a term of five years to permit the premises to be occupied as proposed for the parking of motor vehicles restricted to the cars of the staff of the medical college and hospital and visiting physicians and patients' visitors *on condition* that all uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of East 106th Street and 107th Street and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that the plot shall be as shown on plans filed with this application marked "Received August 1, 1958", 2 sheets, and "October 6, 1958", one sheet; that on all lot lines there shall be erected a woven wire fence of the chain link type on a masonry base not less than five feet six inches in total height, with no openings therein except one opening at 106th Street for entrance and exit, not exceeding 15 feet in width, with curb cut opposite of similar width; that during the term of this variance the premises shall be occupied for no other use and no building shall be erected thereon except there may be erected near the entrance a

MINUTES

building not over one story in height and not more than one hundred square feet in area solely for use as a shelter and office for the attendant; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that sidewalks and curbing on both streets abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to one sign attached to the fence at the entrance stating the private use of the parking lot for doctors and attendants of the hospital et al; that such sign shall not exceed five square feet and shall not be illuminated and shall not extend beyond the building line; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 3:45 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 2, 1958, 2 P. M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

47-47-SA

APPLICANT—Holland Furnace Company, owner.

SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional model P-3 oil Burner—re Holland Oil Burner, Model P-2; previously approved.

APPEARANCES—

For Applicant: R. Hartig.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 47-47-SA

Subject: Amendment to resolution as to additional model oil burner.

Holland Furnace Co., Michigan, requested by letter dated September 16, 1958, that the resolution adopted April 29, 1947 under Calendar Number 47-47-SA be amended so as to include the Model P-3 Oil Burner. The application was reopened by a vote of the Board, October 21, 1958.

Purpose

The appliance is a gun type oil burner.

Description

The requested Model P-3 is similar to the Model P-2, previously approved, and is just a change in model designation. The Model P-3 has been approved by the Underwriters Laboratory under MP 1343.

Recommendation

The Committee on Test recommends that the resolution adopted April 29, 1947 under Calendar Number 47-47-SA be amended so as to include the additional Model P-3 Oil Burner on condition that the requirements of resolution adopted April 29, 1947 under Calendar Number 47-47-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 29, 1947 in accordance with the above report.

160-49-SM—Vol. II

APPLICANT—Flexible Connector Company of America, Inc., owner.

SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional gas range connectors—re Long-Flex Gas Stove Connector; previously approved.

APPEARANCES—

For Applicant: Earl Longfellow.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 160-49-SM-Vol. II

Subject: Amendment to resolution as to additional gas range connectors.

Flexible Connector Company of America, Inc., Boston, Mass. requested by letter dated September 2, 1958 that the resolution adopted June 7, 1949 and as amended through July 9, 1957 under Calendar Number 160-49-SM Vol. 1 & II be amended so as to include additional gas range connectors and modifications of those previously approved. The application was reopened by a vote of the Board, October 15, 1958.

Purpose

The appliance is a flexible brass gas range connector.

Description

The requested connectors shall be designated by drawing numbers and all modification and changes will refer to drawing numbers.

DWG.39871 is similar to Dwg.73210, approved July 9, 1957, having $\frac{1}{4}$ inch I.D. but with an end ferrule that forms a cap over the O.D. of the hose for a minimum length of $\frac{1}{8}$ inch.

Dwgs. 4807 and 73872 are similar to Dwg.86322, approved July 9, 1957, having $\frac{3}{8}$ inch I.D. excepting the end ferrules enter the hose for a minimum distance of $\frac{1}{8}$ inch and as an alternate, forming a cap over the hose for a minimum depth of $\frac{1}{8}$ inch.

Dwgs. 3872-Alt 1 and 75862 are similar to Dwg.7936 and 7931, approved July 9, 1957, having $\frac{1}{2}$ inch I.D. excepting that the end ferrules are fitted into the inside of the hose for a minimum distance of $\frac{1}{8}$ inch or fitted over the hose for a minimum distance of $\frac{1}{8}$ inch.

Dwg. 12625 Alt. 1 is similar to 15675-2, approved July 7, 1954, having $\frac{1}{2}$ inch I.D. except that it has double the wall.

Long Flex Dub-L-Wall is a double wall connector consisting of an inner tube of aluminum and an outer brass tube and having a mechanically attached coupling.

Inspection and Test

The connectors were examined by Ass't Engr. J. A. Darts, Committee on Test. All connectors have been approved by the American Gas Association.

Recommendation

On the basis of the inspection and the data filed by the applicant, The Committee on Test recommend that the resolution adopted June 7, 1949 and amended through July 9, 1957 under Calendar Number 160-49-SM be amended so as to include the gas range connectors as herein described on condition that the requirements of the resolution adopted

MINUTES

June 7, 1949 under Calendar Number 160-49-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of June 7, 1949 through July 9, 1957 in accordance with the above report.

367-49-SA—Vol. II

APPLICANT—Armstrong Furnace Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional trade name Williams Oil-O-Matic—re Armstrong Oil Burner, Model D-1, D-2 and D1-2; previously approved.

APPEARANCES—

For Applicant: Frank Brown.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 367-49-SA-Vol. II

Subject: Amendment to resolution as to additional trade name.

Williams-Oil-O-Matic Heating Company, Columbus, Ohio, requested by letter dated August 11, 1958, that the resolution adopted December 5, 1950 and amended July 10, 1951 under Calendar Number 367-49-SA be amended so as to permit the approved oil burner to be marketed under an additional trade name. The application was reopened by a vote of the Board, October 21, 1958.

Description

The Model D-4 is similar to the Model D-2, approved by the Board, July 10, 1951, except as to firing range. The D-4 having a range of 0.75 to 1.35 gph and the D-2 having a range of 1.0 to 3.0 gph.

Recommendation

The Committee on Test recommends that the resolution adopted December 5, 1950 and amended July 10, 1951 under Calendar Number 367-49-SA be amended so as to include the Model D-4 and permission to market the Models D-4 and D-2 by the Williams Oil-O-Matic under the Model designation HPA-4 and HPA-2.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions of December 5, 1950 and July 10, 1951 in accordance with the above report.

148-50-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to include a new size Edge Strips and include Cant Strips—re Gold Bond Insulation Roof Boards; previously approved.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 148-50-SM.

Subject: Amendment to resolution as to include a new size Edge Strips and to include Cant Strips.

National Gypsum Co., Buffalo, New York requested by letter dated September 22, 1958 that the resolution adopted July 15, 1958 under Calendar Number 148-50-SM be reopened and amended so as to include the additional material; Gold Bond Fiberlok Tapered Edge Strips and to include Gold Bond Fiberlok Cant Strips.

Purpose

The board is to be used for thermal and sound insulation on roofs.

Description

The Gold Bond Fiberlok Tapered Edge Strip previously approved is now also manufactured in an 18 inch width by 4'-0" length being $\frac{1}{8}$ inch thick along one 4' edge and $1\frac{5}{8}$ inch thick along the other 4' edge.

Gold Bond Fiberlok Cant Strips are used in filling the right angle formed by the roof and vertical surface such as parapets, etc. They are fabricated from the same materials as those previously approved. The long edges are cut at 45° from the face side. The product is supplied in the following sizes in any combination;

LENGTH	4' and 8'
WIDTH (face side);	$5\frac{5}{8}$ ", $5\frac{1}{2}$ ", $4\frac{1}{2}$ ", 4"
THICKNESS	2", $1\frac{5}{8}$ ", $1\frac{1}{2}$ "

The Committee on Tests recommends that the resolution adopted July 15, 1958 under Calendar Number 148-50-SM be reopened and amended so as to include the additional materials known as Gold Fiberlok Tapered Edge Strips and Gold Bond Fiberlok Cant Strips on condition that the requirements of the resolution adopted July 15, 1958 under Calendar Number 148-50-SM be complied with except that in lieu of the wrapper or package being tagged, stamped or labeled, the shipping tickets and/or invoices or bills of lading shall be marked "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 148-50-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 15, 1958 in accordance with the above report.

511-52-SA

APPLICANT—Norman Products Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional models of gas unit heaters—re Norman Three-Sixty Gas-fired Unit Heaters, Models RDG-100A, RDG-100C; previously approved.

APPEARANCES—

For Applicant: R. V. Peratto.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 511-52-SA.

Subject: Amendment to resolution as to additional models of gas unit heaters.

Norman Products Company, Columbus, Ohio, requested by letter dated September 22, 1958 that the resolution adopted February 9, 1954 and amended April 2, 1957 under Calendar Number 511-52-SA be amended so as to include additional models of gas unit heaters. The application was reopened by a vote of the Board, October 21, 1958.

Purpose

The appliance is a gas fired unit heater for use in domestic and commercial installations and also to be used in garages and places of explosive atmospheres.

Description

The requested models RHD-115 C is the same as the RHD-100C only change being in model designation.

The Models RHD-115D and RHD-85D are similar to the approved models except that they are known as a down blow type.

The Model RHD-85C is similar to the RHD-115C except that the unit is of smaller capacity.

The construction and controls on all units are similar to the previously approved models.

All models have been approved by the American Gas Association under Certificate #4, 1555.0 & .01, .001 and 4-1555.101.

Recommendation

The Committee on Test recommends that the resolution adopted February 9, 1954, and amended April 2, 1957 under Calendar Number 511-52-SA be amended so as to include the Models RHD-115C, RHD-115D, RHD-85D and RHD-85C, Norman Gas Fired Unit Heaters on condition that the requirements of the resolution adopted February 9, 1954 and amended April 2, 1957 under Calendar Number 511-52-SA be complied with.

The committee further recommends that as the combustion Air is drawn from the outside by means of a separate inlet pipe, the heater may be installed in garages or places of explosive atmospheres.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of February 9, 1954 and April 2, 1957 in accordance with the above report.

788-53-SM

APPLICANT—Eagle Manufacturing Company, owner.
SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to additional safety can—re Eagle Safety Cans, 1 gal., 2½ gal. and 5 gal. capacity equipped with flame arrestors or screen strainers; containers for temporary storage of flammable liquids; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 788-53-SM

Subject: Amendment to resolution as to additional safety can.

Eagle Manufacturing Co., Wellsburg, West Virginia, requested by letter dated November 3, 1958 that the resolution adopted March 23, 1954 under Calendar Number 788-53-SM be amended to include additional safety cans. The application was reopened October 21, 1958.

Purpose

Safety containers for temporary storage of flammable liquids.

Description

The safety cans U2-51-S and U2-26-S are 2½ and 5 gallon capacity. The cans are made of 24 gauge terne steel. The bodies and breasts are each seamless drawn from one piece steel and are welded together. The bottoms are reinforced with a 16 gauge steel hoop. The cans are equipped with a flexible metal spout and the filler opening and pouring spout have double metal wire mesh fire baffles or screens. A working valve at the base of flexible spout is operated by free-swing handle. The requested Models have been approved by the Underwriters' Laboratory under MH 5018.

Recommendation

The Committee on Test recommends that the resolution adopted March 23, 1954 under Calendar Number 788-53-SM be amended so as to include the Models U2-51-S and U2-26-S Safety Cans on condition that the requirements of the resolution adopted March 23, 1954 under Calendar Number 788-53-SM are complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of March 23, 1954 in accordance with the above report.

313-54-SM

APPLICANT—National Gypsum Company, owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional asbestos shingles—re Gold Bond Asbestos Sidings Shingles and Accessories, Gold Bond Asbestos Cement Shingles for exterior finish on Class 4 Buildings; previously approved.

APPEARANCES—

For Applicant: John N. Waters.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 313-54-SM

Subject: Amendment to resolution as to additional asbestos shingles.

MINUTES

National Gypsum Co., Buffalo, New York requested by letter dated September 26, 1958 that the resolution adopted April 2, 1957 and amended May 27, 1958 under Calendar 313-54-SM be amended so as to include additional asbestos shingles. The application was reopened by a vote of the Board, October 15, 1958.

Purpose

The material is to be used as an exterior finish on Class IV Buildings.

Description

The shingles are manufactured of the same material as the shingles previously approved, the difference being in the size, color and corrugations.

Recommendation

The Committee on Test recommends that the resolution adopted April 2, 1957 and amended May 27, 1958, under Calendar Number 313-54-SM be amended so as to include the material known as Gold Bond Deep Tex Siding Shingles in various colors and the Gold Bond Sussex "32" Siding Shingles in various colors on condition that the requirements of the resolution adopted April 2, 1957 under Calendar Number 313-54-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.
GEORGE F. SKLENARIK,
Asst. Engr.
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of April 2, 1957 and May 27, 1958 in accordance with the above report.

546-54-SM

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Application reopened October 29, 1958 for amendment U.S.G. Demountable office partition—re USE Demountable Partition for office; previously approved.
APPEARANCES—

For Applicant: William W. Bainbridge.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinfert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT of COMMITTEE ON TEST

Re: Calendar Number 546-54-SM.

Subject: U.S.G. Demountable Office Partition.

The United States Gypsum Co., New York, N. Y., requested by letter dated October 7, 1957, that the resolution adopted March 29, 1955 be reopened and amended to include approval of an improved design and approval for its sale under the trade name of E-Z Wall Moveable Partition.

The case was reopened by vote of the Board on October 29, 1957.

Purpose

The partition is to be used as an incombustible moveable subdividing partition under the provisions of C26-667.0.5 in all classes of construction.

Description

The improved moveable partition system consists of steel studs, steel track, steel pipe, steel floor and runner track steel accessories and extruded aluminum shapes and forms all of which support doors, lights, glass and laminated gypsum mineral wallboard panels. All exposed trim is steel or aluminum. The gypsum mineral wallboard laminated panels may be furnished ready for paint or predecorated with a vinyl plastic film less than .05 inches thick.

In erection, the galvanized steel floor runner is secured to the floor. The runner has formed in spacers to hold the panels in alignment. Galvanized steel studs, open web type are erected vertically at not over 2'-0" centers and engaged in the edges of the panels.

Panels are 3/4" thick by not over 24" wide by appropriate height up to and including 14'.

They shall have accurately formed off set edges for concealed attachment to the steel studs. The face may have rounded or tapered edge panel.

Partitions shall be railing height, cornice height or ceiling height. Where desired, the filler pieces from the top of the partition to the ceiling shall be mineral wallboard secured to studs.

All exposed metal for door frames, lights, windows, glazing posts and metal base shall be steel or aluminum. Glass shall be set in putty or plastic glazing channels.

Base trim shall be metal, asphalt or rubber or hardboard as desired. Working drawings and manufacturer's literature is part of the record.

Inspection and Tests

The U.S.G. Movable Partition as originally approved was subjected to a standard fire test in accordance with ASTM E119-47 as required by C26-6090. Test was conducted at the Engineering Experiment Station of Ohio State University. Failure was at 39 minutes and 15 seconds.

The improved movable partition, known as the E-Z Wall, was tested June 19, 1958 in accordance with ASTM-E119-47, as required by C26-6090. Test was conducted at the Engineering Experiment Station of Ohio State University. Failure was at 32 minutes and 18 seconds.

Field inspections of the original approved partition were made by John A. Darts, Assistant Engineer, Committee on Test. Component parts of the improved E-Z Way partition were examined and found to comply as to required rigidity and design.

Recommendation

On the basis of fire tests conducted and field inspections and data submitted by the applicant, the Committee on Test recommends that the resolution adopted March 29, 1955 under Calendar Number 546-54-SM be amended to permit the sale of the new improved U.S.G. movable partition under the name of USG E-Z Wall Movable Partitions and that the E-Z Wall Movable Partition when assembled and erected of component parts as described above be approved for use as an incombustible subdividing partition in all Classes of Construction without limitations as to height as provided by Section C26-667.0.5 of the Administrative Code on condition that all shipments or invoices shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 546-54-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of March 29, 1955 in accordance with the above report.

336-55-SA

APPLICANT—Metalmaster Corporation, owner.

SUBJECT—Application reopened October 21, 1958 for amendment of resolution as to marketing under additional trade names—re A-1 & B-1, A1-5 & B1-5, AS2 & BS2, A1-1 & B1-1, A-2 & B2, A1-6 & B1-6, A1-2 & B1-2, A2-1 & B2-1, A2-2, & B2-2, A1-3 & B1-3 & B1-3 & B3, AS2-1, & BS2-1 Oil Burners, Models B-15, BS2-1 and B2, marketed by Edwards Eng. Company under trade name of Spi-Rol-Fin, Models BS201 and BS, S-11 S-1, S-2, S-21 and S-3, Utica Oil Burner, Models A-11, A-1, A-2 and A-3; Percoflash Mfg. Corp. by trade name Percoflash and Delta Heating

MINUTES

Corp. as Delta P-1, P-2 and P-3; and Metalmaster Oil Burner and Silent Heat Distributing Corp. Oil Burner Models AA-1, A-2, A-3 and A-11; previously approved.

APPEARANCES—

For Applicant: Sydney Cohen.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 336-55-SA.

Subject: Amendment to resolution as to marketing under traditional trade names.

Metalmaster Corp., Newark, New Jersey, requested by letter dated September 17, 1958, that the resolution adopted July 12, 1955 and amended November 13, 1957 under Calendar Number 336-55-SA be amended so as to permit the approved oil burner to be marketed under additional trade names. The application was reopened by a vote of the Board October 21, 1958.

Recommendation

The Committee on Test recommends that the resolution adopted July 12, 1955 and amended November 13, 1957 under Calendar Number 336-55-SA be amended so as to permit the Model A1-3 to be marketed by the Holland Furnace Co. under the trade name Holland Model DP1-3 and DF1-3 and the Model A2 to be marketed under the trade name Holland DP-2 and DF-2 and the Model A2-3 to be marketed under the trade name Holland DP2-3 and DF2-3 on condition that the requirements of the resolution adopted July 12, 1955 and amended November 13, 1957 under Calendar Number 336-55-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby amend the resolutions of July 12, 1955 and November 13, 1957 in accordance with the above report.

82-56-SA

APPLICANT—The Heil Company, Division Heil-Quaker Corp., owner.

SUBJECT—Application January 30, 1956—Heil-Quaker Gas-fired Heating Equipment, also to be marketed as Sears Roebuck Homart Gas-fired Heating Equipment, approval of.

APPEARANCES—

For Applicant: Karl Mould.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert and Commissioner Foley 3

Negative 0

Absent: Vice Chairman Keating and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 82-56-SA

Subject: Heil-Quaker Gas Fired Heating Equipment, also to be marketed as Sears Roebuck Homart Gas Fired Heating Equipment.

The Heil Company, now operating its heating division as the Heil-Quaker Corp., Nashville, Tenn., filed January

30, 1956 an application with the Board of Standards and Appeals for approval of the Heil-Quaker Gas Fired Heating Equipment, Models BFG-O-N, BFG-O-M, AFG-OO-N, AFG-OO-M, AFG-O-N, AFG-O-M, AFG-2-N, AFG-2-M, AFG-3A-N, AFG-3A-M, AFG-5-N, AFG-5-M, also to be marketed as Sears Roebuck Homart Gas Fired Furnaces, Models 867.60192, 867.60211, 867.60311, 867.60221, 867.60321, 867.60231, 867.60331 867.60241, 867.60341, 867.60251, 867.60351; Heil-Quaker Models JFG-O-N, JFG-O-M, DFG-O-N, DFG-O-M; Heil-Quaker Gas Fired Horizontal Furnaces Models HG-60B-N, HG-60B-M, HG-80B-N, HG-80B-M, HG-100B-N, HG-100B-M, HG-120B-N, HG-120B-M, HG-140B-N, HG-140B-M; Heil-Quaker Gas Fired Furnaces Models BG-80, BG-100, BG-120, BG-160, BG-200, EG-80, EG-100, EG-120, EG-80D, EG-100D; Heil Quaker Gas Fired Boilers, Models JB-4-N, JB-4-M, JB-4-MN, JB-5-N, JB-5-M, JB-5-MN, JB-6-N, JB-6-M, JB-6-MN, JB-7-N, JB-7-MN, JB-7-M, JB-8-N, JB-8-M, JB-8-MN, JB-10-N, JB-10-M, JB-10-MN also to be marketed as the Sears Roebuck Homart Gas Fired Boilers, Models 867.59981, 867.59991, 867.59982, 867.60011, 867.60021, 867.60012, 867.60041, 867.60051, 867.60042, 867.60071, 867.60081, 867.60072, 867.60101, 867.60111, 867.60102, 867.60131, 867.60141, 867.60132; The Heil-Quaker Gas Fired Boilers, Models JB-75, JB-95, JB-120, JB-140, JB-160, JB-200, also to be marketed as the Sears Roebuck Homart Gas Fired Boilers Models 867.6125, 867.6126, 867.6127, 867.6128, 867.6129, 867.6130, 867.6149, 867.6150; Heil Quaker Conversion Gas Burners, Models GC-11N, GC-11M, GC-12N, GC-12M, GC-13N, GC-13M for use New York City under the provisions of Article 12, Administrative Building Code.

Purpose

Gas Fired warm air furnaces, steam or hot water boilers and conversion gas burners.

Description

The series BFG, AFG, JFG, DFG, BG and EG Furnaces are packaged units consisting of a gas burner or burners, a steel heat exchanger, a blower fan and filter, and a built in draft diverter all assembled in an insulated sheet steel cabinet finished in a baked on enamel. The BFG, AFG, JFG and DFG series have an atmospheric upshot burner with a flame spreader. The BG and EG series have cast iron burners with ribbon ports.

Each model is provided with a safety pilot, fan limit control and thermostat.

The input capacities are:

Heil Model	Sears Model	Btu Per Hour
BFG-O-N	867.60192	90,000
BFG-O-M	—	90,000
JFG-O-N	—	95,000
JFG-O-M	—	95,000
DFG-O-N	—	95,000
DFG-O-M	—	95,000
AFG-OO-N	867.60211	80,000
AFG-OO-M	867.60311	80,000
AFG-O-N	867.60221	100,000
AFG-O-M	867.60321	100,000
AFG-2-N	867.60231	125,000
AFG-2-M	867.60331	125,000
AFG-3A-N	867.60241	150,000
AFG-3A-M	867.60341	150,000
AFG-5-N	867.60251	200,000
AFG-5-M	867.60351	200,000
BG-80	867.6046	80,000
BG-100	867.6047	100,000
BG-120	867.6048	120,000
BG-160	867.6049	160,000
BG-200	867.6050	200,000
EG-80	867.6084	80,000
EG-100	867.6085	100,000
EG-120	867.6086	120,000
EG-80D	867.6090	80,000
EG-100D	—	100,000

MINUTES

The letter N in the model designation is for natural gas; the letter M for manufactured gas.

The HG Series are similar to the above except that they are designed for suspended installation or for installation in suitable spaces other than in garages or places where there may be explosive atmospheres.

The input capacities in thousands of Btu per hour are shown by the numerals in the model designation.

The JB Series are hot water or steam boilers designed as packaged units consisting of drilled port cast iron burners and cast iron boiler sections assembled into an insulated sheet steel jacket. Controls consist of a safety pilot, aquastat, pressure trol and low water cutoff on steam boilers relief valve on steam and a thermostat.

The Capacities and Model Designations are:

Heil Model	Sears Model	Btu per hour input
JB-4-N	867.59981	75,000
JB-4-M	867.59991	75,000
JB-4-MN	867.59982	75,000
JB-5-N	867.60011	95,000
JB-5-M	867.60021	95,000
JB-5-MN	867.60012	95,000
JB-6-N	867.60041	120,000
JB-6-M	867.60051	120,000
JB-6-MN	867.60042	120,000
JB-7-N	867.60071	140,000
JB-7-M	867.60081	140,000
JB-7-MN	867.60072	140,000
JB-8-N	867.60101	160,000
JB-8-M	867.60111	160,000
JB-8-MN	867.60102	160,000
JB-10-N	867.60131	200,000
JB-10-M	867.60141	200,000
JB-10-MN	867.60132	200,000
JB-75-N	867.6125	75,000
JB-95-N	867.6126	95,000
JB-120-N	867.6127	120,000
JB-140-N	867.6128	140,000
JB-160-N	867.6129	160,000
JB-200-N	867.6130	200,000
-	867.6149	
-	867.6150	

The GC Series are conversion burners made with an up-shot burner and flame spreader. Controls include a safety pilot of the self-generating. The burners are adjustable in length and height.

The capacities in Btu per hour input for the various burners are;

Model GC 11 —	210,000
Model GC 12 —	370,000
Model GC 13 —	400,000

Inspection and Test

All details of construction were examined by Ass't. Engr. G. F. Sklenarik, Committee on test.

The various furnaces, boilers and conversion burners have been tested and approved by the American Gas Association.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Heil-Quaker Gas Fired Heating Equipment BFG-O-N, BFG-O-M, AFG-OO-N, AFG-OO-M, AFG-O-N, AFG-O-M, AFG-2-N, AFG-2-M, AFG-3A-N, AFG-3A-M, AFG-5-N, AFG-5-M also to be marketed as Sears Roebuck Homart Gas Fired Furnaces Models 867.60192, 867.60211, 867.60311, 867.60221, 867.60321, 867.60231, 867.60331, 867.60241, 867.60341, 867.60251, 867.60351; Heil-Quaker Models JFG-O-N, JFG-O-M, DFG-O-N, DFG-O-M; Heil-Quaker Gas Fired Horizontal Furnaces, Models HG-60B-N, HG-60B-M, HG-80B-N, HG-80B-M, HG-100B-N, HG-100B-M, HG-120B-N, HG-120B-M, HG-140B-N, HG-140B-M; Heil-

Quaker Gas Fired Furnaces Models BG-80, BG-100, BG-120, BG-160, BG-200, EG-80, EG-100, EG-120, EG-80D, EG-100D also to be marketed as Sears Roebuck Homart Gas Fired Furnaces, Models 867.6046, 867.6047, 867.6048, 867.6049, 867.6050, 867.6084, 867.6085, 867.6086, 867.6090; Heil-Quaker Gas Fired Boilers, Models JB-4-N, JB-4-M, JB-4-MN, JB-5-N, JB-5-M, JB-5-MN, JB-6-N, JB-6-M, JB-6-MN, JB-7-N, JB-7-M, JB-7-MN, JB-8-N, JB-8-M, JB-8-MN, JB-10-N, JB-10-M, JB-10-MN also to be marketed as The Sears Roebuck Homart Gas Fired Boilers, Models 867.59981, 867.59991, 867.59982, 867.60011, 867.60021, 867.60012, 867.60041, 867.60051, 867.60042, 867.60071, 867.60081, 867.60072, 867.60101, 867.60111, 867.60102, 867.60131, 867.60141, 867.60132; Heil-Quaker Gas Fired Boilers, Models JB-75, JB-95, JB-120, JB-140, JB-160, JB-200, also to be marketed as the Sears Roebuck Homart Gas Fired Boilers, Models 867.6125, 867.6126, 867.6127, 867.6128, 867.6129, 867.6130, 867.6149, 867.6150; and the Heil-Quaker Conversion Gas Burners, Models GC-11N, GC-11M, GC-12N, GC-12M, GC-13N, GC-13M for use in New York City when installed in accordance with this report and the provisions of Article 12, Administrative Building Code, provided that each furnace, boiler or conversion burner shall bear a label, permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 82-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

83-56-SA

APPLICANT—The Heil Company, Division Heil-Quaker Corp., owner.

SUBJECT—Application January 31, 1956—Heil-Quaker Winter Air Conditioners (oil-fired) also to be marketed as Sears-Roebuck Winter Air Conditioners, approval of.

APPEARANCES—

For Applicant: Karl Mauld.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert and Commissioner Foley 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

Re: Calendar Number 83-56-SA.

Subject: Heil-Quaker Winter Air Conditioners (Oil-Fired) also to be marketed as Sears-Roebuck Winter Air Conditioners.

The Heil Company, now operating its heating division as the Heil-Quaker Corp., Nashville, Tenn., filed January 31, 1956 an application with the Board of Standards and Appeals for approval of the Heil-Quaker Winter Air Conditioners (Oil-Fired) Series BF-O, JF-O, DF-O, AF-O, AF-2, AF-3, AF-4, AF-5, LO-84, LO-112 also to be marketed as Sears-Roebuck Homart Winter Air Conditioners Models 867.51841, 867.7084, 867.9284, 867.50951, 867.50113, 867.50126, 867.81351, 867.91651, 867.4684, 867.46112; Heil-Quaker Oil Fired Suspension Furnaces, Models HO-1, HO-2, HO-3, HO-4 and the HO-75 and HO-100 which will also be marketed by Sears-Roebuck as their Model 867.9784 and 867.97112 Oil Fired Suspension Furnaces; Heil-Quaker Oil Fired Boiler

MINUTES

Units Models WB-1, RB-1A, RB-2, DB-2, DB-3, DB-4 and the Heil-Quaker Conversion Oil Burners, Models CB-1-8, CB-1-15, CB-1-20, CB-2-8, CB-2-15, CB-2-20, SG-3-15, SG-3-20, LB-1-15, LB-1-20 also to be marketed as Sears-Roebuck Homart Conversion Oil Burners, Models 867.1715, 867.1920, 867.3031, 867.4031, 867.3025, 867.1815, 867.2120 under the provisions of Article 12, Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

Oil burning warm air furnaces, boiler-burner units and conversion oil burners.

Description

The series BF, JF, DF, AF and LO furnaces are package units made up with a flange mounted approved oil burner that fires into a refractory lined combustion chamber which in turn connects to a steel heat exchanger. These units have a fan and motor installed for forced air circulation. The steel cabinets are lined with fibre glass insulation and the outer surface is finished in a baked on enamel.

Every unit is provided with a primary control such as a stack switch, a fan temperature limit control, a thermostat and draft regulator.

The firing capacity for each model using No. 2 fuel oil is as follows:

Heil Model	Sears Model	Gallons per hour
BF-O	867.51841	0.75
JF-0	867.7084	0.75
DF-0	867.9284	0.75
AF-0	867.50951	0.85
AF-2	867.50113	1.00
AF-3	867.50126	1.10
AF-4	867.81351	1.25
AF-5	867.91651	1.50
LO-84	867.4684	0.75
LO-112	867.46112	1.00

The HO Series are similar in construction and equipment as the above but have 12 gauge steel combustion chambers and are designed for suspended installation or for installation in suitable spaces, other than in garages or places where there may be explosive atmospheres.

The firing capacities are for No. 2 fuel oil.

Heil Model	Sears Model	Gallons per hour
HO-1	—	0.85
HO-2	—	1.00
HO-3	—	1.35
HO-4	—	2.00
HO-75	867.9784	0.75
HO-100	867.97112	1.00

The WB, RB, and DB Series are hot water and steam boilers designed as package units. Combustion chambers are refractory lined and the outer jackets are insulated with glass fibre. Provisions are made for supplying domestic hot water. Maximum steam pressure is 15 psi. Maximum hot water pressure for heating is 30 psi. The pressure is created by means of an external circulating pump installed in the unit.

Other equipment includes oil burner with burner mounted primary control, flow control valve, pressure relief valve, thermometer, operating control, high limit control, pressuretrol on steam thermostat, draft regulator.

The firing capacities for the different models are:

Model WB-1	hot water heat only	0.85 gal./hr.
Model RB-1A	hot water or steam	0.85 gal./hr.
Model RB-2	hot water or steam	1.10 gal./hr.
Model DB-2	hot water or steam	1.30 gal./hr.
Model DB-3	hot water or steam	1.80 gal./hr.
Model DB-4	hot water or steam	2.30 gal./hr.

The CB, SG and LB Series are conversion burners designed for No. 2 fuel oil. They are high pressure gun type burners, pedestal mounted.

The capacity range of each model is:

Heil Model	Sears Model	Gallons per hour
CB-1-8	—	0.65 to 1.65
CB-1-15	867.1715	0.65 to 1.65
CB-1-20	867.1920	0.65 to 1.65
CB-2-8	—	0.75 to 2.50
CB-2-15	867.3031	0.75 to 2.50
CB-2-20	867.4031	0.75 to 2.50
SG-3-15	867.3025	3.00 to 6.00
SG-3-20	—	3.00 to 6.00
LB-1-15	867.1815	0.5 to 1.50
LB-1-20	867.2120	0.5 to 1.50

The last number in the Heil model designation indicates the length of the burner tube.

Inspection and Test

All details of construction were examined by Ass't. Engr. G. F. Sklenarik, Committee on Test.

All Models listed have been tested and approved by the Underwriters' Laboratories.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Heil-Quaker Winter Air Conditioners-Oil Fired-Series BF-0, JF-0, DF-0, AF-0, AF-2, AF-3, AF-4, AF-5, LO-84, LO-112 also to be marketed as Sears-Roebuck Homart Winter Air Conditioners Models 867.51841, 867.7084, 867.9284, 867.50951, 867.50113, 867.50126, 867.81351, 867.91651, 867.4684, 867.46112; Heil-Quaker Fired Suspension Furnaces, Models HO-1, HO-2, HO-3, HO-4 and the HO-75 and HO-100 which will also be marketed by Sears-Roebuck as their Model 867.9784 and 867.97112 Oil Fired Suspension Furnaces; Heil-Quaker Oil Fired Boiler Units, Models WB-1, RB-1A, RB-2, DB-2, DB-3, DB-4 and the Heil-Quaker Conversion Oil Burners, Models CB-1-8, CB-1-15, CB-1-20, CB-2-8, CB-2-15, CB-2-20, SG-3-15, SG-3-20, LB-1-15, LB-1-20, also to be marketed as Sears-Roebuck Homart Conversion Oil Burners, Models 867.1715, 867.1920, 867.3031, 867.4031, 867.3025, 867.1815, 867.2120 for use in New York City when installed in accordance with this report and the Oil Burner Rules of the Board and the provisions of Article 12, Administrative Building Code including the clearance requirements therein provided that each furnace, boiler or burner shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 83-56-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

334-56-SM

APPLICANT—Athol Manufacturing Company, owner.

SUBJECT—Application reopened September 17, 1958 for amendment of resolution as to include Terson 2315 FRS-MRS and Terson 2316 FRS-MRS (flameproof fabric for folding doors)—re Terson 4212 FRS-MRS, folding doors in places of public assembly); previously approved.

Appearances—

For Applicant: Eugene E. Brown.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 334-56-SM

Subject: Amendment of resolution as to include Terson
2315 FRS-MRS and Terson 2316 FRS-MRS
(flameproof fabric for folding doors).

Athol Manufacturing Company, Athol, Mass., requested
by letter July 7, 1958, that the resolution adopted October 9,
1958, under Calendar Number 334-56-SM, be amended to
include additional weight of flameproof fabric. The applica-
tion was reopened by a vote of the Board, September 17,
1958.

Purpose

The material is a flame resistant material to be used in
folding doors.

Description

The material is the same as approved under Calendar
Number 334-56-SM, October 9, 1956, except the basic differ-
ence is in the weight of the cotton cloth backing which is
known as A2.35 Osnaburg Cloth weighing 6.2 oz. per linear
yard.

Inspection and Test

Samples of the material were tested at the Better Fabrics
Testing Bureau in the presence of Assistant Engineer J. A.
Darts, Committee on Test and W. H. Masterson, repre-
senting the applicant.

Recommendation

The Committee on Test recommends that the resolution
adopted October 9, 1956, under Calendar Number 334-56-SM
be amended so as to include for approval, Terson 2315 FRS-
MRS and Terson 2316 FRS-MRS (flameproof fabric for
folding doors) on condition that the requirements of the
resolution adopted October 9, 1956 under Calendar Number
334-56-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does
hereby amend the resolution of October 9, 1956 in accord-
ance with the above report.

86-57-SM

APPLICANT—Sayre and Fisher Brick Co., owner.

SUBJECT—Application January 24, 1957—Aglite (light-
weight aggregate for concrete), approval of.

APPEARANCES—

For Applicant: Robert B. Hindman and John J. Lyons.

ACTION OF BOARD—Material approved in accordance
with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 86-57-SM.

Subject: Aglite, lightweight aggregate.

Sayre & Fisher Brick Co., Sayreville, New Jersey filed
January 24, 1957 an application with the Board of Standards
and Appeals for approval of the material known as Aglite,
lightweight aggregate, under the provisions of C26-178.0.b,
C26-10, C26-38.0., a.b.c.d.f.g, C26-315, C26-361, C26-363,
C26-364, C26-365, C26-468 through C26-509, C26-522,
C26-575, C26-620 and C26-630.

Purpose

The material is to be used as an aggregate in concrete.

Description

Clay is mined from the same pit where clay for brick has
been mined for over 100 years to manufacture brick for
Sayre & Fisher Brick Co. This clay is transported to a
clay shed adjoining the sintering plant. Clay is fed into
the feed hopper in clay shed by a bulldozer and is shredded
and placed in a surge hopper. From the surge hopper the
clay is fed onto a belt conveyor which transports the clay
to the pelletizer in the sintering plant. During its travel the
clay passes under the coal hopper where granulated anthra-
cite coal is added to clay in approximately 6 to 8% by volume.
As the clay and its coal additive continue they pass under the
return fines hopper where fine material screened from pre-
viously sintered material is added. This is in proportion of
approximately 10 to 15 percent by volume. These ingredients
are charged into the pelletizer where water is added to pro-
vide the proper consistency for sintering. The prepared
sinter charge is placed on a traveling grate by a swing spout
in a layer of nine inches thickness.

As the grate travels the charge passes under an ignition
hood where a flame momentarily applied to its top surface
ignites the charge. During this ignition a fan draws air for
combustion down thru the charge and burning continues as
the grate travels from beneath the ignition hood over a
succession of wind boxes where fans draw air down thru
the grate causing the charge to burn downward until the
charge is completely clinkered when the grate reaches the
discharge end of the sintering machine. The completed sinter
cake or clinker is discharged from the sintering machine and
conveyed to a yard stock pile where it remains until cool.
It is then charged into the crushing and screening plant and
graded into the following sizes: Coarse Aglite— $\frac{3}{4}$ " + $\frac{3}{8}$ ",
Medium Aglite— $\frac{3}{8}$ " + $\frac{3}{16}$ " and Fine Aglite— $\frac{3}{16}$ " thru
100 mesh. These sizes are stored in separate concrete silos.

Inspection and Test

A comprehensive range of tests was determined upon by
the Committee on Test. These tests included the following:
Compressive strength, unit weight, modulus of elasticity,
flexure strength, bond strength and determination of the
properties of Agalite when in flexure and subjected to fire.
These tests were conducted on various-water-cement ratios
so as to give sufficient data to plot all curves necessary to
evaluate the properties of Agolite as an aggregate for con-
crete as accepted in general engineering practice.

It was noted that the procedure used in mixing was as
follows: The aggregate and one half of the mixing water
were mixed for three minutes and then the cement and the
balance of the water and the air entraining agent were added
and mixed for six minutes, giving a total mixing time of
nine minutes.

All steel used for reinforcing conformed to the require-
ments of ASTM A-15 & A-305.

The complete report of the tests with all graphs are on
file with and are part of the record.

The graphs showing the "E" value which is used to arrive
at the "h" value, are numbered 3 through 15 inclusive.

Recommendation

Since it is the general intention of the applicant to apply
for the approval of Aglite, a lightweight aggregate, as an
all purpose aggregate for plain concrete average A & B
concrete and controlled concrete, The Committee has taken
into consideration only those sections of the Code pertaining
to those classifications.

MINUTES

On this basis and the tests and the data supplied by the applicant, The Committee on Test, under the provisions of C26-3.0, C26-4.0, C26-189.0 and C26-191.0 Administrative Building Code draw the following conclusions and recommend as follows in so far as granting approval under the various sections of the Administrative Building Code.

1. Sect. C26-10.a.b—The Committee is of the opinion that Aglite may be classed under the heading of Aggregate.

2. C26-315.0 Aggregates for reinforced concrete—As this section of the code does not mention expanded burnt clay, mentioning only burnt clay, The Committee is of the opinion, that, under C26-189.0.C "Aglite" be approved as an aggregate for reinforced concrete as it meets the Standard Specifications for Light Weight Aggregate for Concrete ASTM Designation C130-42 and accordingly recommends approval under C26-315.0.

3. C26-361.0—The Committee recommends the approval of Aglite as a plain concrete and if a mix as described in the discussion of C26-365.0 is used, The Committee further recommends that the allowable working stresses be increased to 25% of the ultimate compressive strength.

4. C26-363.0—The Committee is of the opinion that the allowable working stresses used in the design of reinforced concrete structures may be established under C26-364 and C26-365.0 when using Aglite as an aggregate and accordingly recommends approval under C26-363.0.

5. C26-364.0—Controlled Concrete Proportions and Allowable Working Stresses—The Committee is of the opinion that the material Aglite may be used as an aggregate for controlled concrete and recommends approval as such on the following conditions. That the design mixes, with the corresponding "n" value $\frac{E_s}{E_c}$ Ratio of Modulus of Elasticity of steel to the Modulus of Elasticity of Concrete) for the various strengths be as follows:

Strength	N	Design Mix	Air Entrain.	Cement bags/yd
2000	10.25	1:3:4½	1.5 oz/bag	4.44
2500	9.25	1:3½:5	1.5 oz/bag	4.18
3000	8.30	1:2.9:4½	1¼ oz/bag	4.70
3500	7.42	1:2.5:4	1 oz/bag	5.30

and that all other working stresses for controlled concrete conform to the table of Allowable Working Stresses as set forth in C26-364.2.

6. C26-365.0 Average Concrete: Proportions & Allowable Working Stresses—The Committee is of the opinion, that, on the basis of the strength shown in the test and as C26-365.0.b does not prohibit the use of average concrete of different mix proportions provided the working stresses conform to the values as set forth under C26-365.3; Aglite be recommended as an aggregate for average concrete and whose working stresses shall conform to the Table of Allowable Working Stresses as set forth under C26-365.3 except that the "N" value may be taken as 10 for Type A and 8 for Type B.

7. C26-468 through C26-509.0, Reinforced Concrete Construction. The Committee is of the opinion that Aglite meets the requirements of C26-468 through C26-509.0 and recommends the approval of Aglite as an aggregate for reinforced concrete.

8. C26-522, Painting of Structural Steel—The Committee is of the opinion that Aglite meets the requirements of C26-522 as it may be considered as non-corrosive aggregate as the sulphur content is 0.023%.

9. C26-522.0—As Aglite meets the requirements of C26-38.0.b.c.d.f and g as noted in paragraphs 5 and 6 above; The Committee is of the opinion that Aglite meets the requirements of C26-570.

10. C26-630—The Committee recommends the approval of Aglite as a top-filling as meeting the requirements of C26-630.

11. C26-620.0—The Committee is of the opinion that a design mix of 1:3 ½:6 ¼ may be used in lieu of the mix of 1:2:5 as provided under C26-620.0.

The Committee on Test, therefore recommends the approval of Aglite, light weight aggregate, under the provisions of the Administrative Building Code as mentioned herein on condition that each shipment of Aglite be accompanied by a bill of lading bearing the following statement "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 86-57-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

109-57-SA

APPLICANT—The Coleman Co., Inc., owner.

SUBJECT—Application February 4, 1957—Coleman Gas-fired Space Heater, Models 2111, 2112, 2113, 2115, 2116, 2117 and 2118, approval of.

APPEARANCES—

For Applicant: Stanley M. Halpern.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 109-57-SA

Subject: The Coleman Co., Inc., Philadelphia, Pa., Coleman Gas-Fired Space Heaters.

The Coleman Co., Inc., filed February 4, 1957 an application with the Board of Standards and Appeals for approval of Coleman Gas-Fired Space Heaters, Models 2111, 2112, 2113, 2115, 2116, 2117 and 2118 for use in New York City under the provisions of Article 12, of the Administrative Code.

Purpose

For Heating the Home.

Description

These are gas burning space heaters, with cast iron sawed-slot port burners and heavy gauge steel heat exchanger, a built in draft diverter, assembled in an on the floor steel porcelain cabinets. Models 2111, 2112 and 2113 are circulating and radiant heaters, open grille, flue connected with 30,000, 40,000 and 55,000 Btu capacity. When Models 2111 and 2115 are used with propane or LPG-Air Mixtures, input rating is 25,000. Models 2115 L & D, 2116 L & D, 2117 L & D and 2118 L & D are circulating and radiant heaters, with radiant, genuine pyrex radiant front, flue connected with 30,000, 40,000 55,000 and 70,000 Btu capacity, L= indicates golden glow finish, D= indicates shadows mahogany finish.

Products of combustion are carried safely out of the home. Eliminates the damaging effects of condensed moisture released into the home. Small 4" vent pipe.

Automatic controls are optional on all models. Blower is optional on all models. Pressure regulator is standard on all models, insures an even flame regardless of gas pressure changes. Built-in Unitrol temperature control available on all models, standing pilot; Standard on all models. 100% safety pilot; Standard for propane, optional for natural, mixed and manufactured gases. Also available: Modulating or snap action thermostatic gas valves; Electric controls with wall thermostat.

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Inspection and Test

These heaters have been tested and approved by the American Gas Association Inc., and were issued the following certificate numbers P-2-306C3.001 and P-2-306A2.001, January 1st, 1956.

Recommendation

On the basis of this inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the Coleman Gas-Fired Space Heater, Models 2111, 2112, 2113, 2115 L&D, 2116 L&D, 2117 L&D and 2118 L&D for use in New York City, when installed and operated in accordance with this report and the requirements of Article 12, of the Administrative Building Code, provided that each heater bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 109-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

704-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.

SUBJECT—Application September 6, 1957—American-Standard Gas-fired Horizontal Winter Air Conditioners, Model GHA, (for installation in crawl spaces or attics), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 704-57-SA

Subject: American-Standard Gas Fired Horizontal Winter Air Conditioner Model GHA.

American-Standard Air Conditioning Division, New York, New York, filed September 6, 1957, an application with the Board of Standards and Appeals, for approval of the American-Standard Gas Fired Horizontal Winter Air Conditioner, Model GHA under the provisions of Article 12 and Section C26-191.0 Administrative Building Code.

Purpose

Gas fired warm air furnace.

Description

The GHA Model warm air furnaces are an assembly of cast iron slotted port burners installed beneath a heavy gauge multi-section steel heat exchanger, a blower fan and filters and the necessary controls, all housed in a steel jacket finished in a baked on enamel.

These models are to be vented outdoors, the flue connection being provided at a built in draft diverter.

The controls used are gas shut off valve, regulator valve, automatic shut off valve, thermostat, safety pilot and fan and temperature limit control.

The GHA Models are designated as GHA-85, GHA-100, GHA-125 and GHA-150, the number indicating in thousands the Btu per hour input rating.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The GHA Model furnaces were tested and approved by the American Gas Association.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of the American-Standard Gas Fired Horizontal Winter Air Conditioner, Model GHA for use in New York City when installed in accordance with this report and Article 12 Administrative Building Code, including the clearance requirements set forth therein but not in garages or other places where there may be explosive atmospheres provided that each furnace shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City, under Calendar Number 704-57-SA."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

706-57-SA

APPLICANT—American-Standard Air Conditioning Division, owner.

SUBJECT—Application September 6, 1957—American-Standard Commercial Packaged Air Conditioning Units and Self-Contained Water Cooled Air Conditioning Units, Models CCA-2, 3, 5; HCA-2H, HCA-3H, HCA-2F, 3F, 5F; HCA-2, 3 and 5, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 706-57-SA

Subject: American-Standard Commercial Packaged Air Conditioning Units and Self-Contained Water Cooled Air Conditioning Units, Models CCA-2, 3, 5; HCA-2H, 3H; HCA-2F, 3F, 5F; HCA-2, 3, 5.

American-Standard Air Conditioning Division, New York, N. Y. filed September 6, 1957 an application with the Board of Standards and Appeals for approval of the American-Standard Commercial Packaged Air Conditioning Units and Self-Contained Water Cooled Air Conditioning Units Models CCA-2, 3, 5; HCA-2H, 3H; HCA-2F, 3F, 5F; HCA-2, 3, 5 for use in New York City under the provision of C26-191.0 Administrative Building Code and Article 18, Chapter 19, Administrative Code.

Purpose

Air conditioning units for summer cooling.

Description

The CCA series are floor type package units consisting of a water cooled refrigerant circuit and blower assembly enclosed in an insulated sheet steel jacket. All refrigerant components including motor compressor assembly, water cooled condenser, capillary tube and evaporator are factory mounted in a steel angle frame. Electrical components in-

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cluding blower motor, magnetic contactor, overload protector, pressure control and selector switch are factory wired and mounted. The CCA-5 units are equipped with toggle switch and solenoid valve for humidity control. The CCA series are available in 2, 3 and 5 HP sizes. The HCA-H series are fanless add on units intended for installation with forced air heating systems. They consist of a water cooled refrigerant circuit enclosed in an insulated jacket. All refrigerant components including motor compressor assembly, water cooled condenser, capillary tubes and evaporator are factory mounted in a steel angle frame as well as the electrical components including magnetic contactor, overload protector, pressure control and transformer.

The HCA-H series are available in 2 and 3 HP sizes. The HCA-F series air conditioners consist of a water cooled refrigerant circuit and blower assembly enclosed in an insulated jacket. All refrigerant components including motor compressor assembly, water-cooled condenser capillary tubes and evaporator are factory mounted in a steel angle frame along with the electrical components including blower motor, magnetic contactor, overload protector, pressure control and selector switch. The HCA-5F unit is equipped with a humidity control consisting of toggle switch and solenoid valve.

HCA-F series are available in 2, 3 and 5 HP sizes.

The HCA series are fanless add on units intended for installation with forced air heating systems. In other respects they are similar to the HCA-F Series.

The Specifications of the various models are as follows:

Model	H.P.	Refrigerant Charge	Cooling Capacity
		F-22	Btu/hr.
CCA-2	2	2 lbs. 11 oz.	24180
CCA-3	3	2 lbs. 15 oz.	36040
CCA-5	5	6 lbs. 10 oz.	62900
HCA-2H	2	2 lbs. 11 oz.	24180
HCA-3H	3	2 lbs. 15 oz.	36040
HCA-2F	2	2 lbs. 10 oz.	25680
HCA-3F	3	2 lbs. 15 oz.	38020
HCA-5F	5	6 lbs. 10 oz.	62900
HCA-2	2	2 lbs. 11 oz.	24180
HCA-3	3	2 lbs. 15 oz.	36040
HCA-5	5	6 lbs. 10 oz.	62900

Pressure relief for the above units is provided by means of a blow out type neoprene terminal seal on the compressor and a soft soldered rivet on the accumulator.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The CCA and HCA-Hand F Series were tested and approved by the Underwriters' Laboratories, file SA 1617.

Recommendation

On the basis of the examination and the data submitted by the applicant, the Committee on Test recommends the approval of American Standard Commercial Packaged Air Conditioning Units and Self-Contained Water Cooled Air Conditioning Units, Models CCA-2, 3, 5; HCA-2H, 3H; HCA-2F, 3F, 5F; HCA-2, 3, 5, for use in New York City when installed in accordance with this report, Article 18, Chapter 10 of the Administrative Code and the Electrical Code of the City of New York, provided that each such unit shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 706-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

743-57-SA

APPLICANT—Chattanooga Royal Co., owner.

SUBJECT—Application September 25, 1957—Royal Vented Gas-fired Room Heater, Models 2820-A, 2830, 4975-A, 4840-A, 4940-A, 4850-A, 4950-A, 4860-A and 4960-A, 4875-A and 4975-A, 4820 and 4830, approved of.

APPEARANCES—

For Applicant: Marvin Leffler.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 743-57-SA

Subject: Royal Vented Gas-Fired Room Heaters, Models 2820-A, 2830, 4840-A, 4850-A, 4860-A, 4875-A, 4940-A, 4950-A, 4960-A, 4975-A, 4820 and 4830.

Chattanooga Royal Company, Chattanooga, Tenn., filed September 25, 1957, an application with the Board of Standards and Appeals for approval of the appliances known as the Royal Vented Gas-Fired Room Heaters, Models 2820-A, 2830, 4840-A, 4850-A, 4860-A, 4875-A, 4940-A, 4950-A, 4960-A and 4975-A under provisions of Article 12, of the Administrative Building Code.

Purpose

This appliance is a gas fired space heater.

Description

The Space Heaters are designed for BTU Input ranging from 20,000 to 75,000 BTU per hour.

The Heater is an assembly of parts; namely a chassis, cabinet, burners, heat exchanger, draft diverter and controls.

The combustion chamber and heat exchanger is constructed of 20 guage steel.

Each model has a built-in draft diverter which forms an integral part of the heat exchanger.

The burners are of the cast iron drilled port type.

Models with Radiants Models without Radiants

Model	No.	BTU	Vent Size	No. of Radiants	Model	No.	BTU	Vent Size
4940	A	40,000	4"	5	2820	A	20,000	3"
4950	A	50,000	4"	5	2830		30,000	4"
4960	A	60,000	5"	7	4840	A	40,000	4"
4975	A	70,000	5"	7	4850	A	50,000	4"
					4860	A	60,000	5"
					4875	A	75,000	5"

Models 2820-A and 2830 have been changed to Model Numbers 4820 and 4830 respectively. The inner units are basically the same and the primary change is in the design of the cabinet.

Inspection and Test

The heaters have been approved by the American Gas Association.

The complete report is on file with and is part of the record.

Recommendation

On the basis of the data filed by the applicant the Committee on Test recommends the approval of the appliance known as Royal Vented Gas-Fired Room Heaters, Models 2820-A, 2830, 4840-A, 4850-A, 4860-A, 4875-A, 4940-A, 4950-A, 4960-A, 4975-A, 4820 and 4830 for use in New York City when installed in accordance with the requirements of Article 12, of the Administrative Building Code on condition that the units shall not be installed in garages or places of

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explosive atmosphere, and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 743-57-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

84-58-SM

APPLICANT—Frankel Associates, Inc., owner.
SUBJECT—Glas-Kote, flameproof material for stage, auditorium, windows, etc. approval of.

APPEARANCES—

For Applicant: David Malkind.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 84-58-SM

Subject: Glas-Kote, Flameproof Material for stage, auditorium, windows, etc.

Frankel Associates, Inc., New York, N. Y. filed February 19, 1958, an application with the Board of Standards and Appeals for an approval of the material known as Glas-Kote under the provisions of the flame proofing rules of the Board.

Purpose

The material is a flame resistant material to be used as draperies and curtains in places of public assembly.

Description

The material consists of a base cloth of fiber glass coated with a vinyl facing. The facing is a vinyl resin dispersed with a mixture of plasticizers, color pigments, flameproofing compounds, stabilizers and solvents. The coating is applied by the knife coating method. The related heat process first drives off the solvents and then fuses the vinyl coating to the base fabric.

Inspection and Test

Samples of the material were tested at the Better Fabrics Testing Bureau in the presence of Ass't. Engr. J. A. Darts, Committee on Test and W. H. Masterson, representing the applicant.

Recommendation

On the basis of the inspection and test the Committee on Test concludes that the material Glas-Kote possesses inherent flame proofing properties and accordingly recommends the approval of this material for use as a flame resistant fabric for stage, auditorium, and windows. The Committee further recommends that this material shall not be used in locations wherein an approved opening protective assembly is required.

Tests on each specific installation or any retests thereof shall be made by the Fire Commissioner or in a Laboratory approved by him in accordance with the requirements of the Flameproofing Rules of the Board.

The Committee further recommends that all cartons or containers in which this material is marketed shall be

tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 84-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

112-58-SM

APPLICANT—E. I. DuPont de Nemours and Co., Inc., owner.

SUBJECT—Application February 20, 1958—Tontine Flame Resistant Vinyl Cyclorama Material, for stages, auditorium, etc. approval of.

APPEARANCES—

For Applicant: Samuel R. Todd.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 112-58-SM

Subject: Du Pont "Tontine" Flame Resistant Vinyl Cyclorama Material.

E. I. du Pont de Nemours & Co., Inc., Wilmington, Delaware, filed February 20, 1958, an application with the Board of Standards and Appeals for approval of the material known as DuPont "Tontine" flame resistant vinyl cyclorama material under the provisions of the Flame Proofing Rules of the Board.

Purpose

For Side and Back Curtains on stages in auditoriums.

Description

"Tontine" flame resistant vinyl cyclorama material construction is a heavy, woven cotton fabric coated on both sides with virgin vinyl resins formulated to impart permanent flame resistance. It has a high degree of tensile strength and tear resistance, and is pliant to drape easily. It has a dry, non-tacky surface to minimize the clinging of dust particles.

Inspection and Test

Samples of the material were tested at the Better Fabrics Testing Bureau in the presence of Ass't. Engr. J. A. Darts, Committee on Test and S. R. Todd, representing the applicant.

The complete report is on file with and is part of the record.

Recommendation

On the basis of the inspection and test the Committee on Test concludes that the material "Tontine" Calendar Number 112-58-SM possess inherent flameproofing properties and accordingly recommends the approval of the material for use as a flame resistant fabric for side and back curtains on steps in auditoriums. The Committee further recommends that this material shall not be used in locations wherein an approved opening protective assembly is required.

Test on each specific installation or any retests thereof shall be made by the Fire Commissioner or in a Laboratory approved by him in accordance with the requirements of the Flameproofing Rules of the Board.

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The Committee further recommends that all cartons or containers in which this material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 112-58-SM."

SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

161-58-SA

APPLICANT—Locke Stove Co., owner.
SUBJECT—Application February 28, 1958—Warm Morning Gas-fired Room Heater, Models V20, V30, V35, V50, VR50, VR65, V65 and VR385, approval of.

APPEARANCES—

For Applicant: Felix Grass.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 161-58-SA.

Subject: Warm Morning Gas-Fired Room Heater, Models V20, V30, V35, VR50, VR65, V50, V65 and VR385.

Locke Stove Company, Kansas City, Mo., filed February 28, 1958 an application with the Board of Standards and Appeals for approval of Warm Morning Gas-Fired Room Heater, Models V20, V30, V35, VR50, VR65, V50, V65 and VR385.

Purpose

This appliance is a gas fired space heater.

Description

Models V-20, V-30 and VR-35 have a wrap around type cabinet assembled of 22 gauge C.R. steel with the top section perforated with 3/32" round holes on 5/32" staggered centers.

The interior is composed of a combustion chamber housing the burner, the radiator which is connected to the combustion chamber by 3" flue passage ways, and the draft hood welded directly to the radiator. All of these components are made of 20 gauge c.p. steel.

The draft hood is totally enclosed within the cabinet with only the flue outlet protruding out the rear.

The burners are all cast iron drilled port utilizing a 34 DMS port size. The Model VR35 is a radiant front model utilizing six ceramic radiants.

The flue outlet on the V-20 is 3" and is 4" on the Models V-30 and VR-35.

Controls approved for this unit are the baso safety 829-3, Minneapolis-Honeywell C-592 and the thermostatic control is M-H 5157.

Models V-50, VR-50, V-65 and VR-65 are similar in appearance to the above models except that the cabinet is bolted together in lieu of the continuous wrap around styling, and is made of 20 gauge C.R. steel. The top section is perforated with 3/32" round holes and 5/32" staggered centers.

The interior is made up of a combustion chamber housing the burner, a radiator connected to the combustion chamber with 4" flue passageways, and the draft hood welded directly to the radiator.

All of these components are made of 20 gauge C.R. steel. The flue outlets on the V-50 and VR-50 is 4" and 5" is used on the V-65 and VR65.

The burners are cast iron raised ports utilizing a #36 DMS port size.

The pilot burner is Baso 5C11-1.

The controls approved are M-HC-592 safety pilot and M-H-5157 thermostatic control assembly.

The Models V-50 and V-65 are closed front units. The Models VR-50 and VR-65 are radiant front units utilizing seven and eight radiants respectively.

Model VR-385 is of a different design than the above units in that its cabinet is a porcelain enamel unit with individually drawn components bolted together, and made of 20 gauge C.R. steel.

The interior is composed of a single combustion chamber housing dual burners with a radiator running through the unit from front to back at approximately a 30° angle. The draft hood is welded directly to the combustion chamber, and it is totally enclosed within the cabinet. All components of the combustion chamber and draft hood are of 20 gauge C.R. steel.

The burners are cast iron drilled port utilizing a #32 DEM port.

Controls approved on this unit are baso safety pilot 842 and Robert Shaw 2-E thermostat.

All of the above with the exception of the V-20 and V-30 utilize a general control pressure regulator V-300D. The W.C. setting on this regulator is 3.5 on natural gas and 2.0 on manufactured.

All units utilize a fixed orifice with the exception of the VR-385.

Inspection and Test

These heaters have been approved by the American Gas Association.

The complete report is on file with and is part of the report.

Recommendation

On the basis of this inspection and test and the data filed by the applicant, the Committee on Test, recommends the approval of Warm Morning Gas-Fired Room Heater, Models V20, V30, V35, V50, VR50, VR65 and VR385 for use in New York City, when installed and operated and vented to the outer air in accordance with this report and the requirements of Article 12, of the Administrative Building Code, provided that each heater bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 161-58-SA."

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Ass't. Engr.,

GEORGE F. SKLENARIK,

Ass't. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

180-58-SM

APPLICANT—Seelye, Stevenson, Valve and Knecht, Agents for Nelson Stud Welding, Division of Gregory Industries, Inc., owner.

SUBJECT—Application March 31, 1958—Nelweld Shear Connector Studs, for composite steel and concrete, floor and roof construction, approval of.

APPEARANCES—

For Applicant: William A Faiella.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

MINUTES

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 180-58-SM

Subject: Nelweld Shear Connector Studs for composite steel and concrete floor and roof construction.

Seelye, Stevenson, Valve & Knecht for Nelson Stud Welding Division of Gregory Industries, Inc., filed March 31, 1958 an application with the Board of Standards and Appeals for approval of the Nelweld Shear Connector Stud under the provisions of C26-191.0 Administrative Building Code.

Purpose

The stud is a shear connector for composite steel and concrete floor and roof construction.

Description

The stud connector is essentially a round steel bar welded at one end to the "I" beam and having an upset end at the other. The stud resists horizontal shear by bending. The upset head, shank diameter plus $\frac{1}{2}$ inch, prevents relative movement of the slab in a vertical direction.

The studs are fastened to the steel structure by a stud welding gun which utilizes an electric arc welding process.

When installed the system consists of a structural steel beam, a reinforced concrete slab and the Nelweld Stud welded to the beam and solidly embedded into the concrete slab, thereby combining these three elements into one structural unit.

A composite beam consisting of a concrete slab joined to a steel section by shear connectors, is designed using the conventional transformed section theory of reinforced concrete design. This involves an investigation of the maximum flexural and shearing stresses in the beam. In a steel beam which is a homogeneous section, the neutral axis passes through the center of gravity of the beam. For the design and analysis of a composite beam, the concrete slab is transformed into an equivalent steel area. This equivalent steel is proportioned according to the ratio of the modulus of elasticity of the steel to concrete known as N . The composite beam is therefore made similar to a homogeneous steel beam.

Inspection and Test

The applicant has filed a complete analysis with computations of the composite section and has also submitted test reports of slippage and shear tests and comparative tests of the stud as against the spiral.

The formula evolved from the test for the design load on one stud connector and for the spacing of the stud connectors is as follows:

$$\text{Design Load} = \frac{Q_{uc}}{F.S.} = \frac{330d^2 \sqrt{f_c}}{2.24}$$

$$\text{where } Q = 330d^2 \sqrt{f_c}$$

$$F.S. = 2.24$$

$$d = \text{Stud diameter}$$

$$f_c = \text{Concrete Stress}$$

Spacing

$$p = \frac{I_e}{MV_c} \times \frac{Q_{uc}}{F.S.}$$

$$\text{Where } p = \text{pitch or spacing}$$

$$I_e = \text{Moment of Inertial of composite section with } n = 10$$

$$V_c = \text{Vertical shear acting on composite beam}$$

$$M = \text{Statical moment of transformed concrete area about neutral axis of composite section with } N = 10.$$

The complete report of the University of Illinois is on file with and is part of the record.

Recommendation

On the basis of the data supplied by the applicant, the Committee on Test recommends the approval of the Nelweld Shear Connector Study for composite steel and concrete floor and roof construction on the following conditions:

1. That all concrete and steel stress shall be as provided for under the pertinent sections of the Administrative Building Code but in no event shall the maximum allowable stresses exceed those values as provided under Table I of C26-364.0.

2. That all concrete work shall comply with the requirements of Sub Article 5, C26-468.0, Reinforced Concrete Construction.

3. During construction, the beams and girders, when necessary, shall be provided with supports to carry all loads until the concrete has set so as to prevent pre-and other straining beyond the maximum deflection of $1/360$ of the span.

4. Where fire protection is required, the beam shall meet the requirements for Class I and Class II construction.

5. The depth of slab shall meet the requirements of C26-473.0 and the requirements of a T beam as set forth under C26-475.0 but in no event shall the top of the connector be less than 1 inch below the top of the unfinished slab or finished slab when poured monolithically.

6. The use of the beam shall be limited to a simple span with a maximum span of twenty-four times the depth of the beams from the top of slab to the bottom of steel, but not over 100 feet in any case.

7. The maximum live load shall not exceed 500 lbs. per square foot loads in excess of 125 lbs. per square foot shall be based on use in Class I and Class II construction.

8. All work shall be performed under the supervision of the engineers of the company and all materials and workmanship shall meet the requirements of the Administrative Building Code and the Rules of the Board.

9. All plans filed with the Department of Buildings showing the proposed use of this system shall be stamped "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 180-58-SM" and all containers in which the studs are marketed shall be similarly marked.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

252-58-SM

APPLICANT—Frankel Associates, Inc., owner.

SUBJECT—Application April 23, 1958—Lin-Seal, for curtains and drapes in places of Public Assembly, approval of.

APPEARANCES—

For Applicant: David Malkind.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 252-58-SM.

Subject: Lin-Seal, for curtains and drapes in places of public assembly.

Frankel Associates, Inc., New York, N. Y., filed April 23, 1958, an application with the Board of Standards and

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Appeals for approval of the material known as "Lin-Seal" under the provisions of the Flame Proofing Rules of the Board.

Purpose

For Curtains and Drapes in places of Public Assembly.

Description

The material consists of a base cloth of fiberglass coated with a Vinyl backing. The backing is a vinyl resin dispensed with a mixture of plasticizers, color pigments, flameproofing compounds, stabilizers and solvents. The backing is applied by the knife or roller coater method. The related heat process first drives off solvents and then fuses the vinyl backing to the base fabric.

Inspection and Test

Samples of the material were tested at the Better Testing Fabrics Bureau in the presence of Ass't. Engr. J. A. Darts, Committee on Test and W. H. Masterson, representing the applicant.

Recommendation

On the basis of the inspection and the test the Committee on Test concludes that the material Lin-Seal, Calendar Number 252-58-SM, possess inherent flameproofing properties and accordingly recommends the approval of the material for use as a flame resistant fabric for curtains and drapes in places of Public Assembly. The Committee further recommends that this material shall not be used in locations wherein an approved opening protective assembly is required.

Test on each specific installation or any retests thereof shall be made by the Fire Commissioner or in a Laboratory approved by him in accordance with the requirements of the Flameproofing Rules of the Board.

The Committee further recommends that all cartons or containers in which this material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 252-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

404-58-SM

APPLICANT—Joanna Western Mills Company, owner.
W. H. Arnold, Jr., Agent.

SUBJECT—Application June 2nd, 1958—Joanna UVO-235-10F and MRBC Vinyl Coated Fabric, approval of.
APPEARANCES—

For Applicant: Warren H. Arnold, Jr.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

WHEREAS, the report of a Committee on Test reads:

Re: Calendar Number 404-58-SM

Subject: Joanna UVO-235-10F and MRBC Vinyl Coated Fabric.

Joanna Western Mills Company of Chicago, Ill., filed June 2, 1958, an application with the Board of Standards and Appeals for approval of Joanna UVO-235-10F and

MRBC Vinyl Coated Fabric under the provisions of the Flame Proofing Rules of the Board.

Purpose

Used in construction of folding doors.

Description

Quality of this material is identified as Vinyl Coated Flame and Mildew Construction 54"—Joanna UVO-235-10F and MRBC Pin Seal Embossing-Color Shadow Tan—for use in folding doors. The base cloth is a 60" 2.35 cotton Osnaburg to which is applied a flame and mildew resistant treatment and a vinyl coating weighing approximately 5 ounces per square yard. The vinyl coating is applied to only one side of the cloth. The coated construction is embossed in a suitable grain.

Inspection and Test

Samples of the material were tested at the Better Fabrics Testing Bureau in the presence of Ass't. Engr. J. A. Darts, Committee on Test, and W. H. Masterson, representing the applicant.

The complete report is on file with and is part of the record.

Recommendation

On the basis of the inspection and test the Committee on Test concludes that the material Joanna UVO-235-10F and MRBC Vinyl Coated Fabric, Calendar Number 404-58-SM possess inherent flameproofing properties and accordingly recommends the approval of the material for use as a flame resistant fabric for use in construction of folding doors. The Committee further recommends that this material shall not be used in locations wherein an approved opening protective assembly is required.

Tests on each specific installation or any retests thereof shall be made by the Fire Commissioner or in a Laboratory approved by him in accordance with the requirements of the Flameproofing Rules of the Board.

The Committee further recommends that all cartons or containers in which this material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 404-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

408-58-SM

APPLICANT—Mead and Montague Co. Inc., Agent for,
The Georgia Co. Inc., owner.

SUBJECT—Application July 3rd, 1958—Saranspun Drapery Fabric, approval of.

APPEARANCES—

For Applicant: Irwin D. Littman and Jerome A. Folgeman.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 408-58-SM.

Subject: Saranspun Drapery Fabric.

The Georgia Company, Incorporated, New York, New York, filed July 3, 1958, an application with the Board of

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Standards and Appeals for approval of the material known as "Saranspun Drapery Fabric" in five (5) styles, Saranspun Print, Saranara, Saranglo, Sarantique and Saranette, under the provisions of the Flame Proofing Rules of the Board.

Purpose

Drapery for industrial, commercial and home uses.

Description

Saranspun Drapery Fabric is as follows:

CONSTRUCTION

Warp	Filling
72 per square inch type 20,000 R 5 mil Saran	38 per square inch 3½ Singles 70% Saran 6 Singles 30% Solution dye Viscose Rayon Lurex fancy yarn (where used)

WEIGHT

70 lbs. per 100 yards average

OVERALL %

80% Saran 20% Solution dye
Viscose Rayon

WIDTH

48 to 50 inches

VARIOUS STYLES:

Saranara
Sarantique
Saranglo (with Lurex)
Saranette (lighter construction, same yarns)
Saranspun Print

Inspection and Test

A test at United States Testing Company, Incorporated, was filed with this application but a further test was required. Further samples were tested at the Better Fabrics Testing Bureau in the presence of Assistant Engineer J. A. Darts, Committee on Test and W. H. Masterson, representing the applicant.

The complete reports are on file with and is part of the record.

Recommendation

On the basis of the inspection and test the Committee on test concludes that the material Saranspun Drapery Fabric, Calendar Number 408-58-SM, possess inherent flame proofing properties and accordingly recommends the approval of the material for use as drapery in industrial, commercial and home use. The Committee further recommends that this material shall not be used in locations wherein an approved opening protective assembly is required.

Test on each specific installation or any retests thereof shall be made by the Fire Commissioner or in a laboratory approved by him in accordance with the requirements of the Flame Proofing Rules of the Board.

The Committee further recommends that all cartons or containers in which this material is marketed shall be tagged, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City, under Calendar Number 408-58-SM."

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

445-58-SA

APPLICANT—Peter S. Gluck for Earl Scheib Paint & Supply Company, owner.

SUBJECT—Application July 22, 1958—Earl Scheib Infra-Red Drying Tunnel, Model NYC, approval of.

APPEARANCES—

For Applicant: Peter S. Gluck.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert and Commissioner Foley 3

Negative: 0

Absent: Vice Chairman Keating, Commissioner Sleeper 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 445-58-SA

Subject: Earl Scheib Infra-Red Drying Tunnel, Model NYC.

Peter S. Gluck for Earl Scheib Paint and Supply Co., Los Angeles, California, owner-manufacturer, filed July 22, 1958 an application with the Board of Standards and Appeals for approval of the Earl Scheib Infra-Red Drying Tunnel, Model NYC for use in New York City under the provisions of the Board's Rules governing the use of equipment for Spraying and Drying of Paints, Varnishes and Lacquers.

Purpose

An electric oven for drying repainted motor vehicles.

Description

The Earl Scheib Infra-Red Oven is constructed of a 26 gauge corrugated steel shell forming a tunnel 20 feet in length. This shell is supported on a steel channel frame.

On the interior side of the oven there are ten uniformly spaced channels extending the full length of the tunnel that serve to carry the electric wiring and sockets for the infra-red lamps.

The total width of the tunnel is 11 feet and after installation on a concrete floor 6 or 8 inch steel angles ½ inch thick are permanently fastened to the floor at least one foot from each interior side. These angles act as guides for the motor vehicle as it is pushed into the tunnel for the drying operation and serve to prevent accidental breakage of the lamps by the motor vehicle.

There are twenty infra-red lamps installed in each of the ten channels. The lamps are arranged in series of two and each lamp is 250 watts. Silver lining is used in the reflector bulbs and there is a 4 inch space between reflectors and sockets. Distance between face of bulbs is 7 inches and between sockets 12 inches. The bottom rows of bulbs are approximately 16 inches off the floor. Clearance between corrugated shell and floor is more than 1 inch.

Drying time is not more than 15 minutes and the normal heat is thermostatically controlled at 138°F. A manual timer part of the control panel may be set to cut off heat at any time up to 15 minutes. Maximum setting for the thermostat is 150°F and the control switch is interconnected with the timer. A "Square D" #3 Magnetic Contactor is connected by 2 inch conduit to the main operating switch. The magnetic contactor is equipped with a 200 ampere safety switch.

Inspection and Test

A typical oven installation was inspected at 515-63rd Street, Brooklyn, New York. Present were Ass't. Engr. G. F. Sklenarik, Committee on Test and Mr. Peter Gluck representing the applicant.

The oven was set at 138°F and operated satisfactorily as designed.

Recommendation

On the basis of the inspection and the data submitted by the applicant, the Committee on Test recommends the approval of the Earl Scheib Infra-Red Drying Tunnel, Model NYC, when installed and operated in accordance with this

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report and the Paint Spray Rules of the Board, including the ventilation requirements set forth therein; installations in small rooms shall be provided with ventilation of at least 350 cubic feet of air per gallon of solvent evaporated at 70°F and provided further that each oven shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 445-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

565-58-SA

APPLICANT—Howard J. Wagner, for Walter Kidde and Company, Inc., owner.

SUBJECT—Application September 29, 1958—Kidde Industrial Smoke Detector, Model L-4901 Type G, approval of.

APPEARANCES—
For Applicant: Dante De Panicis and Arthur W. Uhl.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 565-58-SA

Subject: Kidde Industrial Smoke Detector, Model L-4901, Type G.

Walter Kidde & Company Inc., filed September 29, 1958, an application with the Board of Standards and Appeals for approval of the Kidde Industrial Smoke Detector, Model L-4901, Type G for use in New York City under the provisions of sections C26-661.0, C26-664.1 and C26-259.0 Administrative Building Code.

Purpose

A smoke detecting device.

Description

The Model L-4901, Type G detector is a smoke detecting device designed to operate on 115V 60 cycle current and to automatically detect the presence of smoke in the ducts of air-conditioning or ventilating systems and serve as a fan motor stop.

It consists of a metal enclosure containing air inlet and outlet fittings, photo-electric cells, cell illuminating lamp, relays, pilot lamps and galvanometer with related parts and installation wiring. Provision is made for the connection of electrical circuits from power supply, a constant voltage transformer, smoke alarm and signal equipment. The constant voltage transformer is installed externally and is used to insure voltage regulation of the cell illuminating lamp.

In operation, air is drawn into the detector enclosure through the inlet piping and photocell compartment by means of the duct stream pressure differential. Abnormal smoke density in the photocell compartment causes relays to energize the smoke signal indicating devices until manually reset. If the cell illuminating lamp should burn out or should an "open" occur in the primary or secondary of the constant voltage transformer, the trouble circuit will be energized.

The detector is factory adjusted to respond to smoke concentrations of 4% and over.

Inspection and Test

The Model L4901, Type G was inspected and tested at the Belleville, New Jersey plant of the applicant by Assistant Engineer G. F. Sklenarik Committee on Test and Sup. Electrical Inspector R. C. Lent New York Fire Department.

The detector functioned satisfactorily as designed.

The Model L-4901 Type G detector has been tested and approved by the Underwriters' Laboratories.

Recommendation

On the basis of the test and inspection and the data submitted by the applicant, the Committee on Test recommends the approval of the Kidde Industrial Smoke Detector Model L4901, Type G for use in New York City in accordance with this report and the requirements of C26-259.0, C26-661.0 and C26-664.1 Administrative Building Code provided that each such detector device shall be connected to approved closed circuit smoke alarm gongs, indicators and fan shut down devices and further that each such device shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 565-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

567-58-SA

APPLICANT—Manes, Sturim, Donovan and Laufer, for All-Boro Gas Co., Inc., owner.

SUBJECT—Application September 29, 1958—All-Boro Gas Co., Inc., Tar Kettle Torch, Model 1 A.R., approval of.

APPEARANCES—

For Applicant: Arthur M. Laufer.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 567-58-SA

Subject: All-Boro Gas Co., Inc., Tar Kettle Torch, Model 1 A.R.

Manes, Sturim, Donovan and Laufer for All-Boro Gas Company, Inc., Jackson Heights, N.Y., filed September 29, 1958 an application with the Board of Standards and Appeals for approval of their Tar Kettle Torch Model 1 A.R. for use in New York City in accordance with the regulations of the Fire Commissioners, dated August 5, 1958.

Purpose

A torch for use in tar kettles for melting tar, pitch or asphalt.

Description

The AllBoro Gas Company Tar Kettle Torch, Model 1 A.R., consists of a vaporizing chamber formed by a 3 inch pipe inserted into a shorter 4 inch pipe and welded together with ¼ inch ring spacers at each end. A ¼ inch by 1¼ inch mounting bracket is welded to the inside of the 3 inch pipe forming two segmental openings above and below the bracket for primary air intake. A #50 drill standard gas orifice is threaded into the bracket and is supplied with petroleum gas through a ⅜ inch standard pipe and ¼ inch

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needle valve. The burner is welded to a 4 inch 5.4# steel channel which acts as the base for the burner.

Liquefied petroleum gas is supplied from a standard 1.c.c. cylinder which has an outlet tube inserted close to the bottom so that only liquefied gas is removed. This liquid gas passes through the cylinder shut off valve and a Fisher regulator set at between 40 and 50 pounds pressure and then through a 7 foot neoprene pressure hose which is secured by threaded fitting to a 1/4 inch copper capillary tube outlet. Liquid gas then passes to the vaporizing chamber and the gas formed is returned by a second capillary tube to the needle valve which is used to control the flow of gas to the orifice in the burner.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test. A sample burner was inspected and operated at the premises of the applicant, 49-10-20th Avenue, Queens.

The burner functioned as designed.

Recommendation

On the basis of the inspection and the data submitted by the applicant, the Committee on Test recommends the approval of the All-Boro Gas Company, Inc. Tar Kettle Torch, Model 1 A.R. for outdoor use when installed and used in accordance with this report and the requirements of the Fire Commissioner, dated August 5, 1958 provided that each such torch shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 567-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

650-52-SA

APPLICANT—Beltran Associates, Inc., owner.
SUBJECT—Application for consideration—rescind reopening of November 5, 1958—re Drying Tunnels Coordinated with direct fired air heaters; previously approved.

APPEARANCES—

For Applicant: E. Goldstein.

ACTION OF BOARD—Resolution of November 5, 1958 rescinded.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened and restored to docket for report as to additional use of oven.

Resolved, that the Board of Standards and Appeals does hereby *rescind* the resolution adopted by the Board on November 5, 1958, reopening the application for amendment at the request of the representative of the Beltran Associates, Inc., in view of the action taken by the Board this day under Calendar Number 303-58-A.

795-38-SM

APPLICANT—Lehigh Portland Cement Company, owner.
SUBJECT—Application for consideration—reopening for test and report—re Lehigh Portland Cement and Lehigh Early Strength Portland Cement; previously approved.

APPEARANCES—

For Applicant: William C. Singleton.

ACTION OF BOARD—Application reopened for test and report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

199-39-SM

APPLICANT—The Celotex Corporation, owner.

SUBJECT—Application for consideration—reopening for test and report as to direct application of siding and shingles—re Celotex, (for covering plaster base, wall board, sheathing, roof insulation, acoustical treatment, interior finish, etc.); previously approved.

APPEARANCES—

For Applicant: William H. Pritchard.

ACTION OF BOARD—Application reopened for test and report as to direct application of siding and shingles.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

228-39-SM

APPLICANT—Porete Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening for test and report as to additional spans—re Porete Nailing Slabs and Porete Channel Slabs; previously approved.

APPEARANCES—

For Applicant: Simms Embler.

ACTION OF BOARD—Application reopened for test and report as to additional spans.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

1507-39-SM

APPLICANT—Porete Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening for test and report as to additional spans—re Precast Featherweight Tongue and Groove Concrete Plank for floor and roof construction; previously approved.

APPEARANCES—

For Applicant: Simms Embler.

ACTION OF BOARD—Application reopened for test and report as to additional spans.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

960-54-SA—Vol. III

APPLICANT—Linde Air Products Company, Division of Union Carbide and Carbon Corporation, owner.

SUBJECT—Application for consideration—reopening as Vol. III for additional models—re Linde Driox, Model AT-25, Linde Driox Oxygen, Nitrogen and Argon Systems and Cold Converter Storage Units, Models M50, M90, M100 and M310; previously approved.

APPEARANCES—

For Applicant: T. E. Willoughby.

ACTION OF BOARD—Application reopened for test and report as to additional models.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

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1005-54-SA

APPLICANT—Linde Air Products Company, Division of Union Carbide and Carbon Corporation, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution as to additional models—re Linde Liquid Storage Tank for Oxygen, Nitrogen and Argon, Models LO-300, LO-600 and LO-1500; previously approved.

APPEARANCES—

For Applicant: T. E. Willoughby.

ACTION OF BOARD—Application reopened for amendment to consider additional models.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

1006-54-SA

APPLICANT—Linde Air Products Company, Division of Union Carbide and Carbon Corporation, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution as to additional models—re Linde Liquid Storage Tank with Pumping Unit for Oxygen, Nitrogen and Argon, Models LO-300, LO-600 and LO-1500; previously approved.

APPEARANCES—

For Applicant: T. E. Willoughby.

ACTION OF BOARD—Application reopened for amendment to consider additional models.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

620-40-SM

APPLICANT—Owens-Corning Fiberglas Corp., owner.

SUBJECT—Application for consideration—reopening for additional trade name—re Fiberglas Thermal and Sound Insulation; previously approved.

APPEARANCES—

For Applicant: R. E. Brower.

ACTION OF BOARD—Application reopened for report.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

297-50-SM

APPLICANT—Firedoor Corporation of America and Spartan Steel Products, owners.

SUBJECT—Application for consideration—reopening for report as to change of stiffeners—re Indestructo Flush Hollow Metal Door; previously approved.

APPEARANCES—

For Applicant: P. Schneider.

ACTION OF BOARD—Application reopened for report as to proposed change of construction of stiffeners.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

505-57-SA

APPLICANT—Edwards Engineering Corp., owner.

SUBJECT—Application for consideration—reopening for additional trade names—re Spi-Rol-Fin Gold Crown Gas-fired Boiler, Hot Water Models 600G and 750G; previously approved.

APPEARANCES—

For Applicant: Walter Farrell.

ACTION OF BOARD—Application reopened for report as to additional trade name.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

303-58-A

APPLICANT—Hi-Lux Tape Corporation, lessee, Adhesive Tape & Pressure Sensitives Inc., proposed lessee for Kennedy Holdings, owner.

SUBJECT—Application May 15, 1958—Appeal from an order of the Fire Commission—re use of Beltran Drying Oven.

PREMISES AFFECTED—58-64 Seabring Street, north side, 150 feet east of Van Brunt Street, Block 508, Lot 3, Borough of Brooklyn.

APPEARANCES—

For Applicant: E. Goldstein and G. Bennett.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative—Commissioner Kleinert 1

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, Order #3146-8 issued by the Fire Commissioner, April 16, 1958, reads:

“RE: DRYING OVEN MANUFACTURED BY BELTRAN ASSOCIATES

An examination of Board of Standards and Appeals Resolution No. 650-52-SA approving above drying oven shows that same was approved only for drying of metals and other incombustible materials.

You are therefore ordered to:

1. Discontinue use of the Beltran Drying Oven for the drying of combustible material Resolution No. 650-52-SA and Rule 4.3.3 of the Board of Standards and Appeals Rules for Spraying and Drying of Paints, Inflammable Surface Coatings.”

and

WHEREAS, the applicant states that the building is 1 story, 35 feet in height, 90 feet front by 100 feet in depth, erected 1895, class 3 construction, located in an unrestricted use, A area, class 1½ height district, and used and occupied since 1954 for the coating of adhesives on cloth and paper and slitting finished products, with an occupancy of 7 persons; that it is proposed to be used without change and occupied by 10 persons; and

WHEREAS, the applicant states that this is an appeal from the Fire Commissioner Order to obtain a variance, to permit the use of a drying oven as approved by the Board under Calendar Number 650-52-SA, for drying of combustibles on inflammable material, such as paper and cloth; and

WHEREAS, the applicant states that the manufacturing process consists of the production of pressure sensitive tapes; that in the manufacturing of the pressure sensitive tapes, the paper or cloth is coated with a high solid rubber cement, consisting of rubber and resin for about 45% of the contents and the remaining 55% are solvent, consisting of a blend of textile spirits having a flash point of 80 to 104° Fahrenheit; that a standard 55 gallon drum of adhesive will coat approximately 1000 yards of paper, 42 inches wide; that since the coating speed is about 11 yards a minute, it takes 1½ hours to use up 55 gallons of adhesive; that during such time 20 gallons of solvent per hour are evaporated; that the cloth or paper unwinds over a rubber roll, equipped with an adjustable coating knife, where a ear-pump applies adhesive from the drum through a by-pass valve on to the paper in front of the coating knife; that as the paper moves on to the coating knife it picks up a predetermined amount of adhesive and then moves into the oven, where at a temperature of about 240° Fahrenheit most of the solvent is driven off, mixed with hot air and exhausted through the

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12 inch ducts into the atmosphere above the building; that the remaining small amount of solvent goes back to the burner unit through the return duct, where it is burned; that after going 30 feet into the oven the paper or cloth moves over a return roll back to the front of the oven, where a second coat of adhesive is applied by the upper knife and the paper or cloth then moves back into the oven for curing of the second coat and travels the entire length of the oven and is pulled out by a rubber roll and wound up on a constant tension winder; that the preheated air is mixed with fresh air and heated in the burner unit, and is discharged through a series of adjustable dampers through a layer of perforated metal sheets, so as not to contact the paper or cloth directly; that there is a 8 inch space between the discharged duct and the perforated metal sheet and another 8 inch space between the metal sheet and the paper; that this total of 16 inches both sides of the paper prevents the paper from being hit by the hot air with sufficient force to flop it up or down; that to prevent skinning of the adhesive and dust trapping of solvent; that the whole system works on a heat exchange of principle, thus the hottest air hits the paper in the rear of the oven, where the least amount of solvent is left; that the oven is equipped with $\frac{3}{4}$ inch stainless steel diffusers, built into the burner to spread the flame in width and cut its length; that in addition two 40 x 40 mesh screens on the discharge side of the blower; that an additional separate exhaust system with the capacity of 4000 C.F.M. is mounted over the coating head in front of the oven; that the adhesive drum is grounded to the pump system as well as to the coating head; that there is a static eliminator to neutralize the paper before coating and to neutralize any static built up on the roll; that in addition there is a small gas-fired boiler supplies steam to the rubber coating rollers and the pull rollers through jet in $\frac{1}{4}$ inch pipes over the width of the paper to eliminate any static; that the oven is protected by automatic purging and safety equipment consisting of a Partlow Safety Flame Combustion Control, a McKee-Eclipse Diaphragm and Hand Reset Valve, a Partlow Temperature Control, a Partlow High Limit Control and a Vacuum Switch on each Blower; that blowers are equipped with solenoid controlled watercooled bearings, opening valves when blowers are started; that a solenoid valve controlled steam jets opening when machine is started; and

WHEREAS, the applicant states that the building is equipped with a one-source sprinkler system with central station connection; and

WHEREAS, records of the Department of Buildings indicate that the oven in question was installed under B.N. Applic. 974/54, approved by the Borough Superintendent, July 14, 1954; and

WHEREAS, the premises was inspected by a committee of the Board consisting of the Board's Engineer specializing in combustibles and inflammables and who submitted a report recommending favorable consideration and which is part of the record in this appeal.

Resolved, that the decision of the Fire Commissioner dated April 16, 1958, acting on Order #3146-8, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the use of the oven as approved by the Board under Cal. No. 650-52-SA for the use as proposed, consisting of coating of adhesives on cloth and paper, *on condition* that such fire-fighting equipment shall be maintained as the Fire Commissioner shall direct.

566-58-A

APPLICANT—George P. Ames, for George and Isabelle Nizich, owners.

SUBJECT—Application September 30, 1958—filed pursuant to section 35 of the General City Law re proposed erection of building in bed of mapped street—54th Road.

PREMISES AFFECTED—53-24 241st Street, west side 218.42 feet south of 53rd Avenue, Block 8176, Lot 18, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: George P. Ames, George Nizich and Joseph Hanney.

For Opposition: Bernard A. Helfab, Fred R. James, Lydia R. Kendall, Mrs. W. Araczewski, Mrs. D. LaBarbera, John LaBarbera and William Araczewski.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert and Commissioner Sleeper 3

Negative: Commissioner Foley 1

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated September 8, 1958 on N.B. Applic. 71/58, reads.

"(1) The proposed erection of a bldg. in the bed of a mapped street is contrary to Sec. 35 General City Laws." and

WHEREAS, the applicant states that the building will be 2 stories, 27 feet 2 inches in height, 25 feet front by 55 feet 6 inches in height, of class 4 construction, on lot 50.13 feet front by 105 feet in depth, in a residence use, G area, class $\frac{1}{2}$ height district, used and occupied as a 1 family dwelling with accessory garage; and

WHEREAS, the applicant contends that the owner attempted to have the street acquired by the City or removed from the City Map without success; that no building space on the proposed street in question and no buildings require it for access or egress; that it is unjust to the owner to pay taxes on the premises and prohibit him from using it for its best use; that if the variance herein requested is granted it will enure to the benefit of the City in the increase in taxes on the proposed dwelling, the sewer tax and the saving maintenance and various service costs; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions; and

WHEREAS, the applicant was advised that he could request the Board to revise the amortization requirements of this resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 71/58, Objection No. 1, dated September 8, 1958, be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the premises within the bed of the mapped street, as proposed and indicated on plans filed with this application, marked "Received October 23, 1958", and "September 30, 1958", 6 sheets, *on condition* that the cost of proposed building shall be amortized at the rate of 5 per cent a year and that in the event the City determines to acquire the premises for street construction, remuneration for the site and the building herein permitted shall be in accordance with the determination of the Court; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

80-57-A—Vol. II

APPLICANT—Leonard F. Rothkrug, for E. Douglas Hamilton, owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeal from a decision of the Borough Superintendent, re use of frame building within fire limits for storage, etc.

PREMISES AFFECTED—35-14 103rd Street, west side, 100 feet south of 35th Avenue, Block 1743, Lot 11, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal withdrawn on request of the applicant, after inspection and a report recommending denial by a committee of the Board.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper .. 4
Negative: 0
Absent: Vice Chairman Keating 1

621-58-A

APPLICANT—Roe and Kramer, for Joseph E. Seagram
and Sons, Inc., owner.

SUBJECT—Application October 29, 1958—Appeal from a
decision of the Borough Superintendent, re permanent
power operated scaffold installed.

PREMISES AFFECTED—371-379 Park Avenue, east side,
from East 52nd to East 53rd Street, and 101-131 East
52nd Street, Block 1307, Lots 1, 14 and 61, Borough of
Manhattan.

APPEARANCES—

For Applicant: P. Melchman and L. W. Hawell.

ACTION OF BOARD—Appeal withdrawn in view of the
acceptance by the Department of Buildings of one installa-
tion only, under the terms of the Charter, namely for the
Seagram Building on Park Avenue.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti,
for Faith For Today, Inc., owner.

SUBJECT—Application filed September 24, 1958—Appeal
from a decision of the Borough Superintendent—review of
a decision of the Borough Superintendent—re zoning
matter.

PREMISES AFFECTED—108-43 71st Avenue, north side,
100 feet west of 110th Street, Block 2223, Lot 44, Forest
Hills, Borough of Queens.

APPEARANCES—

For Applicant: Michael Schimenti.

ACTION OF BOARD—Laid over to December 16, 1958, at
2 P. M. for inspection and decision; applicant to submit a
brief outlining the specific use of this building.

205-29-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Socony
Mobil Oil Company, owner.

SUBJECT—Application for consideration—reopening for
amendment of resolution—re Application, decision of the
Borough Superintendent; previously granted on condition,
under sections 7e and 7h of the Zoning Resolution, per-
mitting in a local retail and residence use district, the re-
construction of the accessory building of the present gaso-
line service station and extend the uses to include office,
lubritorium, car washing, minor repairs, parking and stor-
age of motor vehicles and increase to twelve the number
of gasoline tanks.

PREMISES AFFECTED—157-28 to 157-30 (157-30 offi-
cial) Willets Point Boulevard and 21-08 to 21-12 Clinton-
ville Street, southeast corner, Block 4860, Lots 15 and 18,
Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: J. Vassalotti.

ACTION OF BOARD—Application reopened and resolu-
tion amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as
Vol. III, on May 20, 1958, on certain conditions; and

WHEREAS, the applicant requested a further amendment
of the resolution.

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on May 20, 1958, as
Vol. III by adding thereto:

“that in addition to the permission for change and
arrangement as adopted by the Board on May 20, 1958,
the accessory building may also be set back on the lot
for a distance of 57 feet, 8 inches from Clintonville
Street as originally approved and as shown on revised
plans marked, “Received November 10, 1958,” 3 sheets,
and as approved by the Borough Superintendent under
N. B. 3467/57 under date of November 5, 1958, *on con-
dition* that in all other respects the resolution above
cited shall be complied with; and that in all respects
other than those that are not inconsistent with the
amendments of this resolution.”

795-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Sergeant
Meyer Levin Memorial Hall Association, Inc., owner.

SUBJECT—Application for consideration—reopening for
extension of time to complete—re Application, decision of
the Borough Superintendent; previously granted on con-
dition, under section 7e of the Zoning Resolution, permit-
ting in a residence use district, the use of a building for
public function and meeting rooms.

PREMISES AFFECTED—1624 East 14th Street, west
side, 180 feet south of Avenue P, Block 676, Lot 16, Bor-
ough of Brooklyn.

APPEARANCES—

For Applicant: J. Vassalotti.

ACTION OF BOARD—Application reopened and time to
complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on
July 9, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work
was extended on December 10, 1957; and

WHEREAS, the applicant requested a further extension of
time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on July 9, 1957, only
as to the time within which to obtain permits and complete
the work, so that as *amended* this portion of the resolution
shall read:

“that in view of the statement by the applicant that
plans have been approved by the Department of Build-
ings, that all permits required, including a certificate of
occupancy, shall be obtained and all work completed
within the requirements of Section 22A of the Zoning
Resolution from the date of this *amended* resolution.”
Alt. App. 2864/55.

865-55-BZ

APPLICANT—Lama, Proskauer and Prober, for Nat
Paterson and Herbert H. Pesig, owners.

SUBJECT—Application for consideration—reopening for
extension of time to complete—re Application, decision of
the Borough Superintendent; previously granted on condi-
tion, under section 7f and 7i of the Zoning Resolution,
permitting in a business use district, the erection and main-
tenance of a gasoline service station, lubritorium, car wash-
ing, minor auto repairs, office sales, storage, parking and
storage of motor vehicles.

PREMISES AFFECTED—89-15 Rockaway Boulevard and
101-12 to 101-28 90th Street, northwest corner, Block 9093,
Lot 13, Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: James Vassalotti.

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ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 11, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on December 10, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 11, 1956, as thereafter amended on December 10, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.”
(N. B. App. 4435/55)

1017-55-BZ

APPLICANT—Robert Gottlieb, for Hermany Realty Corp., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired October 22, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, motor vehicle repair shop and auto parking.

PREMISES AFFECTED—861-875 Zerega Avenue and 2361-2385 Hermany Avenue, northwest corner, Block 3698, Lot 47, Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Zlochower.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 11, 1956, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on October 22, 1957; and

WHEREAS, the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 11, 1956, as thereafter *amended* by resolution adopted on October 22, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that the owner has not found it expedient to build the gasoline station at this time, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N. B. App. 1984/55)

545-56-BZ

APPLICANT—Robert Gottlieb, for Harry and Benjamin Rothberg, owners.

SUBJECT—Application for consideration—reopening for

extension of time to complete and obtain certificate of occupancy, which has expired October 29, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, non-automatic, motor vehicle repair shop and parking and storage of motor vehicles waiting to be serviced; for a stated term of 15 years.

PREMISES AFFECTED—1131-1139 Neill Avenue and 2001-2007 Williamsbridge Road, northwest corner, Block 4306, Lot 20, Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Zlochower.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 29, 1957, on certain conditions; and

WHEREAS, the resolution was amended on December 10, 1957 and June 17, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 29, 1957, as thereafter *amended* by resolutions adopted through June 17, 1958, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.”
(N. B. 638/56)

239-57-BZ

APPLICANT—Paul Friedman, for C & M Holding Corp., owner; Sun Oil Company, lessee.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired December 3, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, auto washing, non-automatic, lubrication, office, sale of auto accessories and parking of cars awaiting service, for a stated term of 15 years.

PREMISES AFFECTED—2342-2356 Cropsey Avenue, south side, 77 feet 11¼ inches west of 24th Avenue, Block 6925, Lot 61 (temporarily) part of Lot 80, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 3, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work; and

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WHEREAS, this matter was subject to court review which consumed about ten months and prevented the owner from proceeding.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 3, 1957 only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N. B. App. 198/57)

333-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7i and 7A of the Zoning Resolution, permitting in a business and residence use district, the extending of the use of the present gasoline service station by the erection and maintenance of a modern gasoline station, lubritorium, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, with entrances, show windows and signs within 75 feet of the residence use district.

PREMISES AFFECTED—8769-8783 Bay Parkway and 2202-2212 Bath Avenue, southwest corner, Block 6448, Lot 26, Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Vassalotti.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 3, 1957, on certain conditions; and

WHEREAS, the resolution was amended on July 22, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 3, 1957, as thereafter *amended* on July 22, 1958, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. App. 2498/56)

756-20-BZ—Vol. III

APPLICANT—Frederick A. Ketcher, for Loretta M. Ryan, James J. and Arthur C. Bergen, owners. S. M. Rose Corp., lessee.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7i of the Zoning Resolution, permitting in a business use district, the addition of motor vehicle repair shop to existing storage garage, bowling alley and stores.

PREMISES AFFECTED—4741-4751 Park Avenue, northwest corner of East 189th Street and 2494-2500 Webster

Avenue, east side, 49 feet north of East 189th Street, Block 3033, Lot 4, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

ACTION OF BOARD—Application reopened as Vol. III, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

726-27-BZ—Vol. III

APPLICANT—Herman Kron, for L. B. Petrol Products, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f and 7e of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubritorium, locker room, storage and sale of auto accessories and office, with a roof sign and also the parking of cars waiting to be serviced.

PREMISES AFFECTED—74-21 Queens Boulevard, north side, 24.41 feet west of 47th Avenue, Block 1529, Lot 6, Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened as Vol. III, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

42-32-BZ—Vol. II

APPLICANT—Haus & Bresin, for Lawrence Florin, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a residence use district, the erection and maintenance of a gasoline service station, for a temporary term of years.

PREMISES AFFECTED—2263 Linden Boulevard and 786-94 Elton Street, northwest corner, Block 4336, Lot 27, Borough of Brooklyn.

APPEARANCES—

For Applicant: T. Hartnett.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

143-42-BZ—Vol. II

APPLICANT—Moritz Simon, for 511 Realty Corp., owner. Scally-Walton, Inc., lessee.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition under sections 7a and 7c of the Zoning Resolution, permitting in a residence use district, the alteration and extension of a business use on the 1st story and also the extension and conversion of occupancy from residence use to business use of the 2nd story of an existing building.

PREMISES AFFECTED—510-518 East 73rd Street and 511-519 East 72nd Street north side, 198 feet east of York Avenue, Block 1484, Lot 9, Borough of Manhattan.

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APPEARANCES—

For Applicant: Moritz Simon.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

294-44-BZ—Vol. IV

APPLICANT—Albert B. Bauer, for City of New York, owner.

SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7a and 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a central laundry for a group of city owned and operated hospitals.

PREMISES AFFECTED—645 Kingston Avenue, east side of Winthrop Street, Block 4812, Lot 1 (part of), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. H. Greenhill.

ACTION OF BOARD—Application reopened as Vol. IV, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

203-57-BZ

APPLICANT—Moses J. Epstein, for Inter County Associates, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II, to consider a revised proposal—re Application, decision of the Borough Superintendent; previously withdrawn, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use "E-1" area district, the erection of a four (4) story and cellar, class A multiple dwelling of class III construction.

PREMISES AFFECTED—433-443 West 263rd Street, north side, 204 feet east of Riverdale Avenue, Block 3423, Lots 1612 and 1614, Borough of The Bronx.

APPEARANCES—

For Applicant: Moses J. Epstein.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure, previously withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

390-57-BZ—Vol. II

APPLICANT—Herman Horowitz, for Jacob Perlow, Samuel J. Landau and Joseph G. Blum, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 19B(d) and 21 of the Zoning Resolution, permitting in a local retail and residence use district, the erection of a Class A multiple dwelling without the required garage or parking spaces for passenger motor vehicles.

PREMISES AFFECTED—69-75 West 9th Street and 422-430 Avenue of the Americas, northeast corner, Block 573, Lots 1 and 3, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Horowitz.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

277-57-BZ

APPLICANT—Lama, Proskauer and Prober, for Michael J. Bove, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which expired June 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the maintenance of a parking lot for the parking and storage of more than 5 motor vehicles for a stated term of ten years.

PREMISES AFFECTED—2959-2961 West 28th Street, east side, 318 feet 4 $\frac{7}{8}$ inches north of Surf Avenue and 2954-2956 West 27th Street, Block 7053, Lot 32, Borough of Brooklyn.

APPEARANCES—

For Applicant: James Vassalotti.

ACTION OF BOARD—Application for extension of time to complete withdrawn inasmuch as the Building Department has issued the Certificate of Occupancy.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

Adjourned: 5:00 P.M.

JOSEPH J. DOYLE, *Chief Clerk*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 15, 1958, as they appeared in Bulletin No. 42, Vol. 43, hereby corrected to read as follows:

418-56-BZ

APPLICANT—Ingram S. Carner, for Louis Mintz, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the proposed erection and maintenance of a gasoline service station, car washing (non-automatic) minor repairs with hand tools only; office and sales, storage of accessories, parking for more than 5 cars waiting to be serviced.

PREMISES AFFECTED—7107-7127 New Utrecht Avenue, 1573 72nd Street, northeast corner, 1572 71st Street and 7102-7124 16th Avenue, Block 6180, Lots 63, 70, 71 and 72, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ingram S. Carner.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 26, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on January 28, 1958; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 26, 1957,

CORRECTIONS

as thereafter amended by resolutions adopted through January 28, 1958, by adding thereto:

"that in the event the owner desires to reduce the accessory building and to add an additional curb cut 30 feet in width and to provide five approved gasoline pumps on two islands instead of six on one island as shown on revised plans marked 'Received September 10, 1958', one sheet, such changes may be permitted; as passed by the Borough Superintendent under Amendment to NB App 749-56, disapproved August 14, 1958, *on condition* that in all other respects the resolution above cited shall be complied with."

* Correction—N. B. App. 749-51 changed to N. B. App. 749-56 as indicated in the resolution in italics.

*CORRECTION

The Minutes of the meeting of the Board of Standards and Appeals held on July 24, 1956, as they appeared in Bulletin No. 31, Vol. 41, are hereby corrected to read as follows:

619-41-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening as to amendment for additional tanks and replacement of tanks—re Application (decision of the Borough Superintendent); previously granted on condition, under section 7c of the Zoning Resolution, permitting in a residence and local retail use district, the extension in area of existing gasoline service station and reconstruction of station and building to include lubritorium, auto laundry and motor vehicle repair shop.

PREMISES AFFECTED—218-02 Hillside avenue and 88-01 218th street, southeast corner, Block 10678, Lot 1, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Samuel L. Becker, Dep't of Buildings. ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative. Chairman Murdock, Commissioner Klei-

ert, Commissioner Keating and Deputy Chief Connolly 4

Negative: 0

THE RESOLUTION—

WHEREAS, this application was amended by the Board as

Vol. II, on July 25, 1950, on certain conditions; and

WHEREAS, the resolution was again amended on January

20, 1948; and

WHEREAS, time to obtain permits and complete the work

was extended on September 11, 1951; and

WHEREAS, the applicant requested an amendment of the

resolution.

Resolved, that the Board of Standards and Appeals does

hereby *amend* the resolution adopted on December 16, 1941,

as thereafter *amended* by resolutions adopted through Sep-

tember 11, 1951, only so far as it has reference to additional

gasoline storage tanks and pumps, so that as *amended* this

portion of the resolution shall read:

"that the number of gasoline storage tanks may be

increased by *four* to make a total of twelve such ap-

proved 550 gallon tanks, and to replace existing three

parkway type pumps with three approved low type

pumps, as acted on by the Borough Superintendent,

under Misc. App. 828/56, Objection 1 and as shown on

revised plan marked 'Received July 13, 1956', (1 sheet)."

* Correction—In the resolution wherein reference is made to permission for the increase in the number of gasoline storage tanks such number is corrected to read from "two" to "*four*", as indicated in italics.

PUBLIC HEARING

PROPOSED RULE FOR THE INTERPRETATION OF SECTION 19-A OF THE ZONING RESOLUTION OF THE CITY OF NEW YORK

(385-58-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, June 27, 1958, at 10 A.M. in Room 1013, Municipal Building, Manhattan, on the following Proposed Rule for the Interpretation of Section 19-A of the Zoning Resolution of The City of New York.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the New York City Charter pertaining to Article IV, Section 19-A of the Zoning Resolution.

Purpose:

The purpose of this rule is to provide an interpretation of the words in the above section which read as follows: "... aggregate gross floor area so used," as a basis for determining the number of off-street loading berths required under this section.

Rule 1.

The words "aggregate gross floor area so used" contained in the first paragraph of this section shall be interpreted to mean the area of a building devoted to the use or uses which necessitate the installation of off-street loading berths; that is, the area devoted to hospitals, undertaking establishments and funeral parlors, hotels and offices, retail sales and services uses, wholesale, manufacturing and storage uses. In computing such area or areas for the purpose of determining the number of off-street loading berths required under this section, walls, partitions, areas devoted to mechanical equipment, exits and similar areas, the use of which does not contribute to the regular shipments to or from the building, shall not be included.

This Proposed Rule for the Interpretation of Section 19-A of the Zoning Resolution of the City of New York, as printed herein, is as suggested by The Real Estate Board of New York.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, 80 Lafayette Street, 9th Floor, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours

COURT DECISIONS

office of the board, or its publication in the bulletin.' As indicated above, the order was presented to a justice of the Supreme Court on the thirty-fifth day from the date when the decision of the Board of Standards and Appeals was published in the bulletin. Under the circumstances, the motion is granted, the order of certiorari is vacated and the petition dismissed. Submit order."

* * * * *

(N. Y. Law Journal, Dec. 31, 1956, page 9.)

Upon appeal of the Petitioner to the Appellate Division, the Order of Mr. Justice Kusnetz was reversed in the following decision:

Kohnberg, ap. v. Murdock, res (Pickman res)—Appeal from an order granting a motion to vacate an order of certiorari dated September 17, 1956, and to dismiss the petition on which said order was granted. On July 31, 1956, the Board of Standards and Appeals of the City of New York granted the application of the owners of certain real property for a variance. On August 13, 1956, the resolution of the board was published in the board's bulletin. On September 10, 1956, appellants, various property owners feeling aggrieved by the decision of the board, served a notice of motion under article 78 of the Civil Practice Act to review the determination of the board, together with a petition sufficient in form under both article 78 of the Civil Practice Act and section 668-e-1.0 of the Administrative Code of the City of New York for certiorari. On September 17, 1956, appellants, on the same petition, obtained an order of certiorari. On that day (September 17, 1956) a stipulation was signed by and between the attorneys for the board and appellants withdrawing the notice of motion and petition served September 10, 1956, and substituting nunc pro tunc the certiorari order for the notice of motion. On November 28, 1956, the owners of the property for which the variance had been granted, were permitted to intervene. By notice of motion, returnable December 20, 1956, the board and the intervenors moved to vacate the order of certiorari of September 17, 1956, and to dismiss the petition on the ground that the petition was not presented within thirty days after August 13, 1956, as required by section 668-e-1.0 of the Administrative Code. The motion was granted by order dated January 8, 1957, the order appealed from. Order reversed with \$10 costs and disbursements, and motion denied, with leave to respondents, if they be so advised, to serve and file a return within ten days after the entry of an order hereon. The form or label of the petition and notice to review, whether under article 78 of the Civil Practice Act or under the Administrative Code for certiorari, is immaterial (Matter of Muller v. Zoning Board of Appeals of Town of Ramapo, 270 App. Div., 824). It is important only that the time limitation and other procedures prescribed under the Administrative Code be followed (Matter of Fannuler v. Board of Zoning Appeals of the Town of Hempstead, 254 App. Div., 777; Matter of Nathan v. Murdock, 62 N. Y. S., 2d, 415). In this proceeding the petition was sufficient under both article 78 and under the Administrative Code. The papers served on September 10, 1956, were timely (Matter of Barns v. Osborne, 286 N. Y. 403); they sufficiently advised the board of the relief sought by appellants, and any irregularity or defect in the form should be disregarded (Matter of Lake Mahopac Heights v. Zoning Board of Appeals of Town of Carmel, 278 App. Div., 779). (N. Y. Law Journal, July 2, 1957, page 7).

* * * * *

Under the above decision of the Appellate Division, the Board was directed to file a return, which was filed and was brought on before Mr. Justice Stier and decision was rendered by him as follows:

Kohnberg v. Murdock—Separate motions by the respondents, constituting the Board of Standards and Appeals of the City of New York, and the intervenors, to vacate the order of certiorari obtained by the petitioners, dismiss their petition and sustain the determination of the respondent board which granted a variance of use regulation so as to permit the erection and maintenance of a gasoline service station and related uses under section 7(e) of the Zoning Resolution for a period of fifteen years. ¶There was a full hearing, at which those in opposition were afforded adequate opportunity to make statements and interpose objections. An inspection of the site and neighborhood was made by a committee of the Board, which thereupon unanimously granted the variance under review with certain conditions and safeguards, more fully set forth in the resolution embodying the determination under review. ¶Among the grounds urged for the reversal of the determination is the claim that the "granting of a variance should only be given sparingly and in exceptional cases where a hardship can be shown * * *." Petitioners overlook, however that an application under section 7, pursuant to which the variance herein was sought and granted, is different from that under section 21 of the Zoning Resolution. As was stated by the Court of Appeals in Reed v. Board of Standards and Appeals of City of New York (255 N. Y., 126, 134-135): "When the application is made under section 21, it must be shown that 'there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the provisions of this resolution which justify a variance in a specific case, but the mere fact that the property may be put to a more profitable use is not enough to justify the board in granting the variance. * * * When the application is made under section 7 and the appropriate subdivision thereof, the field of inquiry is restricted. It is not necessary to allege or prove the facts required when

the application is made under section 21 nor for the board to make a decision thereon. The board must in each case act on some reasonable basis in harmony with the general purpose of the resolution. Nothing more is required." ¶The record shows that the board has acted upon a reasonable basis and on sufficient evidence to permit the exercise of its discretionary powers under subdivision (e) of section 7 of the Zoning Resolution. Since it acted within its jurisdiction, its determination cannot be set aside (Matter of Douglaston Civic Ass'n, Inc., v. Board of Standards and Appeals of City of N. Y., 278 App. Div., 659, 660, aff'd 302 N. Y., 920) and the court's judgment substituted for a body "of men with special qualifications of training and experience" (People ex rel. Fordham Manor Reform Church v. Walsh, 244 N. Y., 280, 287). ¶The fact that the intervenors have sold the property after the variance was granted does not affect this proceeding which under chapter 27 of the Administrative Code of the City of New York is directed to the respondent Board. Moreover, section 83 of the Civil Practice Act provides, in substance, that in the case of a transfer of an interest an action may be continued by or against the original party unless otherwise directed by the court. ¶The respective motions by the respondents are, therefore, granted, the order of certiorari vacated, the petition dismissed on the merits and the determination under review confirmed, without costs. Submit order."

(N. Y. Law Journal, August 28, 1957 p. 7.)

* * * * *

Upon further appeal to the Appellate Division, motion to dispense with printing of a certain transcript denied without costs with leave to renew on papers which shall include the transcript made by the Board, as to which appellants desire to dispense printing. (N. Y. Law Journal, October 22, 1957, page 9.)

* * * * *

At the Court of Appeals, Proceeding No. 539, Kohnberg et al., ap. v. Murdock et al., res. (Pickman an ano., intervenors-res), motion for leave to "broaden" the appeal denied upon the ground that non-constitutional questions may be argued, along with the constitutional issues, when the appeal is taken as of right under subdivision 1(a) of section 588 of the Civil Practice Act. Motion for a stay denied. (N. Y. L. J., November 24, 1958, page 11).

* * * * *

Matter of Jack Ryback vs. Murdock:—On April 12, 1955, the Board granted an application under Section 21 of the Zoning Resolution, to permit in a business use, B area district, the extension on first story of proposed structure, using more than the area permitted; Cal. No. 957-54-BZ; premises 524-532 Third Avenue and 163-167 East 35th Street, Borough of Manhattan.

At Special Term, Supreme Court, Mr. Justice DiFalco sustained the Board in the following decision:

Ryback vs. Murdock—Motions 21, 22, 23 and 24 of June 27, 1955, are consolidated and considered together. The record before the board amply supports its determination. It is neither arbitrary, capricious nor contrary to law. The petition is dismissed and the determination of the Board of Standards and Appeals affirmed, and the county clerk is directed to enter a final order herein accordingly. Order signed.

Ryback v. Murdock—Motion is disposed of in accordance with the decision in accompanying motion. Order signed.

(N. Y. Law Journal, June 30, 1955, page 4).

Upon further review, the Appellate Division, First Department, said, in part, as follows:

"....."

"The intervenor, in its application, for a variance, stated as the only substantial reason to show 'practical difficulty and unnecessary hardship' that 'it will not be possible to rent the store in question to a choice tenant unless the store has greater depth' neither in the application nor at the hearing did the intervenor disclose what efforts it had made to rent the store property to any other prospective tenant, choice or otherwise."

"We agree with the Board that the tests stated in *Otto v. Steinhilber*, 282 N. Y. 71, relate to a use variance and not applicable in their entirety to an area variance. It is elemental, however, that before the Board can grant a variance, the record must disclose some basis to justify the conclusion that there are practical difficulties or unnecessary hardships."

"....."

The court annulled the determination of the Board and remitted the matter to the Board for further proceedings, not inconsistent with its opinion.

On a resettled Order, the court remitted the matter to the Board for the purpose of recording the annulment and for further proceedings on March 16, 1956.

The Board on March 16, 1956, recorded the annulment of the Resolution adopted April 12, 1955, and reopened the matter for further proceedings not inconsistent with the opinion of the court and set it for hearing on April 24, 1956 at 10:00 A.M., for the applicant to present further arguments.

BOARD OF STANDARDS AND APPEALS
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WHEREAS, the premises and surrounding area were inspected by all members of the Board; and

WHEREAS, the findings of the Board are as follows:

June 7, 1956.

Re: Cal. No. 957-54-BZ

Premises: 524-532 Third Avenue,

163-167 East 35th Street, Manhattan.

Section 12(b) indicates the intent to require a residence building when erected in a Business District, B area, to have the area of building coverage limited as therein set forth. No mention is made of a building when used only in part for residence use. A proper interpretation of this Section is that unless a building is used throughout for residence use, the Section does not apply to a building used only partly for residence. The building in question is only partly used for residence use. Part of this building is used for business and that part is permitted to be erected in compliance with Section 12 (a) and Section 17 (a). Under Section 17 (a), a building erected on a corner lot requires no rear yard except where it abuts a residence district, in which case a rear yard is required. Such rear yard to be built over to a height "not above the sill level of the 2nd story windows, nor in any case more than 23 feet above the curb level," nor is there any requirement where a building, such as the one in question, is partly used for business and partly used for residence must comply with Section 12 (b). That the residential portion of the building in question does comply with the requirements of Section 12 (b), while perhaps desirable, such compliance is not required and the owner was free to construct the residential portion as he chose, provided that such part of the building complied with the Sections of the Zoning Resolution relating thereto and the requirements of the Multiple Dwelling Law.

The Board finds that the building is in substantial compliance with the provisions of the Zoning Resolution and that the interpretation of the Department of Buildings—that the building should comply with the terms of Section 12 (b) is incorrect. Had the owner filed an Administrative Appeal to the Board, the Board could have made such a finding as hereinbefore set forth. But such a procedure, in view of the urgency, would have taken time. It is sufficient for this Board to find that practical difficulties and unnecessary hardship are caused due to "unique circumstances which reflect the unreasonableness of the Zoning Ordinance itself" as wrongly interpreted by the Department of Buildings. (*Otto vs. Steinhilber*, 282 N. Y. 71).

It is a salient principle of zoning that there should be a contribution to light and air by the owner and adjoining owners for the common welfare. It should be noted that the owner to the west, whose buildings exist lawfully or unlawfully for the full depth of his lot, contributes no light or air at his lot grade. Due to the sloping grade of the applicant's plot, the unbuilt-upon space at the rear, required under Section 12 (b), would be approximately six feet below even the street grade of the buildings of the owner abutting to the west. These facts precluded the use of the building throughout for residence purposes as any rear apartments on the ground floor, would have been unrentable, with windows opening upon a deep pit, with the sheer walls of the buildings on the lot line to the west hemming in the area and shutting off the light and air. Had the owner chosen to construct the building for residential use throughout, under the terms of 12 (b), he would suffer from practical difficulties and unnecessary hardship. If he considered using the space at the rear for unloading or garaging, as Section 12 (b) permits, an entering ramp from East 35th Street would itself use too much of the space as to make such use impracticable. An entrance from Third Avenue would obviously be wasteful and impracticable. Furthermore, an unloading space for a building residential throughout is unneeded. A garage permitted by Section 12 (b) would be a failure because it would be too small in area to be economically successful for operation by the owner or under the usual concession method.

It was apparent to the owner for the above reasons that a building, if residential throughout, under Section 12 (b) was impractical. He could have constructed a building for business throughout but believing that the correct development of the plot was a building part business and part residence, he proceeded on that basis, only to be blocked by an incorrect ruling of the Building Department. The Board has recognized the unique state of facts, including the lack

of even one square foot along the common lot line to the west for light and air, and in finding that there are practical difficulties and unnecessary hardship has corrected the error in interpretation.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
EDWIN W. KLEINERT,
Commissioner,
SEAN P. KEATING,
Commissioner,
P. JOSEPH CONNOLLY,
Deputy Fire Chief.

The Board on June 19, 1956, granted a variance under Section 21 in accordance with above finding of the Board to permit the extension of coverage as now proposed for the purpose of erecting a one-story extension to the proposed building, as indicated on plans filed with this application marked "Received December 16, 1954" and January 6, 1955, on certain conditions.

At Supreme Court, Special Term, Mr. Justice Irving Levey, sustained the Board in the following decision, as appeared in New York Law Journal of April 11, 1957, (page 6):—

"Motions are made herein to vacate an order of certiorari obtained to review a determination made by the Board of Standards and Appeals of the City of New York, and for a dismissal of the petition and affirmance of said board's determination. The board by unanimous resolution, on June 19, 1956, granted a variance in the application of the area district regulations of the Zoning Resolution so as to permit a street-floor extension to a fourteen-story building owned by the applicant, located on the northeast corner of East Thirty-fifth Street and Third Avenue, Borough of Manhattan, City of New York. Heretofore, in April, 1955, the board had granted such a variance which was thereafter affirmed by Special Term. However, that determination was annulled subsequently by the Appellate Division (*Matter of Ryback v. Murdock*, 1 App. Div., 2d, 132) and the matter was remitted to the board for further proceedings not inconsistent with that court's opinion. In accordance with the mandate of the Appellate Division, further proceedings were had before the board which resulted in the resolution now sought to be reviewed. It should be noted that in addition to the twelve consents which had theretofore been obtained from owners of surrounding property, consents were filed in the second proceeding by an additional ten owners of sixteen parcels and only two objectants appeared in opposition. The record before the board contains sufficient proof to show that there are both practical difficulties and unnecessary hardships imposed by a strict application of the Zoning Resolutions. The findings of the board are predicated upon substantial evidence and should be accepted by this court. The return in the instant proceeding contains sufficient facts, findings and other material matters warranting the granting of an area variance. There was no error of law in accepting for consideration as part of the record the affidavits of three real estate experts. Apart from the fact that strict rules of procedure and practice do not apply at hearings before the Board of Standards and Appeals, it appears that the affiants were present at the hearing but no attempt or demand was made to cross-examine them concerning their statements. Whatever value the affidavits had as evidence was weighed unquestionably, by the members of the board who are recognized as experts in the field of zoning, in reaching their determination. I find no substantial reason for disturbing their conclusions. The order of certiorari is vacated and the petition is dismissed. Settle order."

Ryback v. Murdock—Motion to vacate order of certiorari and to dismiss petition is granted. See decision on companion motion made by Board of Standards and Appeals. Settle order.

Upon further appeal to the Appellate Division of the First Judicial Department, *Matter of Ryback vs. Murdock, et al. and Senville—35th Street Realty Corp'n., intervenor-rcs.*, (Proceeding No. 2), the order of the Supreme Court was unanimously affirmed, with \$20 costs and disbursements to the respondents. No opinion. (N. Y. L. J. November 26, 1958, page 11).

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York

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No. 50

DIRECTORY

BOARD OF STANDARDS AND APPEALS

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TELEPHONE—WHitehall 3-3600, Extensions 2600-2609, 2769-2770 and 3020-3024.

Address all communications to the Chairman

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HOURS OF CONSULTATION

10 A.M. to 1 P.M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

PUBLIC HEARINGS

Tuesdays at 10 a.m. and 2 p.m.

Special meetings as published in this Bulletin.

All hearings are held at 80 Lafayette Street, Borough of Manhattan.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the Administrative Official either Borough Superintendent of Buildings or Fire Commissioner and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

290-35-BZ—Vol. II, 39-37-BZ—Vol. IV, 1137-38-BZ, 1105-47-BZ—Vol. II, 895-49-BZ, 918-50-BZ, 769-53-BZ, 618-56-BZ, 521-57-BZ, 676-51-BZ—Vol. III, 192-24-BZ—Vol. II, 185-31-BZ—Vol. III, 18-37-BZ—Vol. IV, 630-38-BZ—Vol. III, 206-42-BZ—Vol. II, 65-47-BZ, 367-51-BZ—Vol. IV, 701-52-BZ—Vol. III, 874-52-BZ, 797-54-BZ—Vol. II, 969-57-BZ, 301-38-SM, 211-53-SA, 647-55-SM, 405-56-SM—Vol. II, 505-56-SM and 1037-57-SA.

Correction Affecting Calendar Number 39-57-BZ.

CALENDAR

DOCKET

New Cases filed up to December 9, 1958

Cal No. Dept. Premises Affected

703-58-BZ—B.M.—65 West 55th Street, north side, 152.8 feet east of Avenue of The Americas (6th), Block 1271, Lot 7, Borough of Manhattan, Alt. 1633-58—re parking and storage of motor vehicles—restricted retail use district.

704-58-A—F.D.—33-17 37th Avenue, northwest corner of 34th Street, Block 602, Lot 1, Long Island City, Borough of Queens, Decision re Order No. 5319-8—re gas-fired drying ovens, etc.

705-58-A—B.Q. 35-01 Beach Channel Drive (Amstel Boulevard), southwest corner of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens; under section 35, General City Law re proposed street widening not to be used in connection with Gasoline Service Station—Rockaway Beach Boulevard, N.B. 3915-57.

706-58-BZ—B.Bx.—307-309 East 148th Street, north side, 370.25 feet east of Morris Avenue, Block 2330, Lots 64 and 65, Borough of The Bronx, Alt. 930-58—parking and storage of more than five (5) motor vehicles, etc.—business and residence use district.

707-58-BZ—B.B.—858-862 Bedford Avenue, west side, 232 feet, 9 inches north of Myrtle Avenue, Block 1900, Lots 53 and 54, Borough of Brooklyn, Alt. 3558-58—re repair shop for motor vehicles, etc.—business use district.

708-58-A—B.B.—1286 Carroll Street, south side, 320 feet east of New York Avenue, Block 1291, Lot 24, Borough of Brooklyn, Decision—re Revocation of Permit.

709-58-SM—Gold Bond Gypsum Partition Tile or Block and Accessories manufactured by National Gypsum Co., Material.

710-58-BZ—B.Q.—25-70 Old Bowery Bay Road (50th Street), west side, 170 feet north of 28th Avenue and 25-81 49th Street, Block 745, Lots 10, 65-70 inclusive and Lot 72, Woodside, Borough of Queens, Alt. 2586-58—re parking of motor vehicles, etc.—residence use district.

711-58-A—B.Q.—25-70 Old Bowery Road (50th Street), west side, 170 feet north of 28th Avenue and 25-81 49th Street, Block 745, Lots 10, 65-70 inclusive and Lot 72, Woodside; under section 35, General City Law re premises partly in bed of a mapped street—50th Street, Alt. 2586-58.

712-58-BZ—B.Q.—190-17 33rd Avenue and 32-66 191st Street, northwest corner, Block 4941, Lot 5, Flushing, Borough of Queens, Alt. 2703-58—re conversion of one family dwelling to two families—residence and retail use, G-1 and D area district.

713-58-A—B.Q.—190-17 33rd Avenue and 32-66 191st Street, northwest corner, Block 4941, Lot 5, Flushing, Borough of Queens, Alt. 2703-58—re use of more than two stories for living quarters—frame building.

714-58-SA—Electro-Magic Motor Steam Cleaner, Model 100, manufactured by Electronics Inc., Appliance.

715-58-BZ—B.B.—2746-2748 Nostrand Avenue, west side, 100 feet north of Avenue N, Block 7665, Lot 79, Borough of Brooklyn, Alt. 3462-58—re furniture reconditioning and repairs, etc.; area excessive—business use, D area district.

716-58-A—B.B.—2746-2748 Nostrand Avenue, west side, 100 feet north of Avenue N, Block 7665, Lot 79, Borough of Brooklyn, Alt. 3462-58—re exits.

717-58-BZ—B.B.—244-262 Hendrix Street, west side, 105 feet, 11 inches south of Atlantic Avenue, Block 3962, Lot 24, Borough of Brooklyn, Alt. 2828-58—re parking and storage of motor vehicles—residence use district.

718-58-A—B.M.—244 East 60th Street, south side, 135 feet west of 2nd Avenue, Block 1414, Lot 30, Borough of Manhattan, Amendment to Alt. 1429-58 under section 35, General City Law re extension of building on bed of mapped street—approach to Queensboro Bridge.

719-58-BZ—B.Q.—139-22 Springfield Boulevard, northwest corner of 140th Avenue, Block 13029, Lot 45, Springfield, Borough of Queens, Alt. 2436-58—re extension of use to include lubritorium, car washing office, sales, and storage of more than 5 cars awaiting service.

720-58-SA—Per-Fab Heat Transfer System, manufactured by Per-Fab Co., Inc., Appliance.

721-58-SA—Evans Gas-fired Heating Units for Bottle Washing Machines, manufactured by G. C. Evans Sales Co., Appliance.

722-58-SA—Weldit Salamanders, Gas-fired, Model 1900, manufactured by Weldit Inc., Appliance.

723-58-SM—Uniweld—Bonding Agent for wet concrete, cement or plaster to cured concrete, manufactured by Permagile Corporation of America, Material.

724-58-BZ—B.Q.—218-18 Hempstead Avenue, south side, 150.16 feet west of 218th Street, Block 11106, Lots 43, 46 and 49, Queens Village, Borough of Queens, Alt. 2562-58—re sale and display, parking and storage of more than five motor vehicles—local retail use district.

Restored to Docket

414-31-A—Vol. II—F.D.—262-278 11th Avenue and 554-556 West 28th Street, southeast corner, Block 699, Lot 1, Borough of Manhattan, Decision re Order No. 1388-8—re omission of standpipe system.

938-55-A—F.D.—1733-1753 McDonald Avenue, east side, 245.6 feet south of Avenue O, Block 6608, Lot 77, Borough of Brooklyn, Decision re Order No. 5290-5—reopened and restored to docket re bars on windows.

301-38-SM—S. and F. Colonial Veneer Brick, manufactured by Sayre and Fisher Brick Company; reopened for test and report as to additional size, Material.

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505-56-SM—Acoustics Manufacturing Corp., A-M Metal Acoustical Tile, Sizes 12 x 24, 12 x 36 and 18 x 36, manufactured by Acoustics Manufacturing Corp.; reopened for test and report as to additional method of hanging, Material.

1037-57-SA—Hook Gas Boiler, Series 20,000 and Series 30,000, for heating and volume hot water supply, manufactured by Hook Manufacturing Co., Inc.; reopened for report as to change of Company name, Appliance.

405-56-SM—Vol. II—Flexalarm Coded Fire Alarm Stations (2 types); Flexalarm Fire Line Strap Key, manufactured by The Gamewell Company, Material.

969-57-BZ—Vol. II—B.M.—134-136 East 40th Street, south side, 87 feet east of Lexington Avenue, Block 895, Lots 67 and 68, Borough of Manhattan, Alt 1760-58—re proposed restaurant extension—retail and residence use district.

211-53-SA—Speed Queen Automatic Washer (domestic type), Models A10 and A11 manufactured by Speed Queen a Division of McGraw-Edison Company, reopened for test and report as to additional model clothes dryer, Appliance.

647-55-SM—Celotex Steelacoustic Ceiling Panels (ceiling finish that provides acoustical absorption), manufactured by The Celotex Corp.; reopened for test and report as to additional size of acoustical pans, Material.

65-47-BZ—B.B.—54-56 Tompkins Avenue and 712-720 Park Avenue, southwest corner, Block 1739, Lots 38 and 39, Borough of Brooklyn, Alt. 3450-58—reopened for consideration as to extension of term of variance—re funeral chapel, garage, seven families, etc.—local retail use district.

192-24-BZ—Vol. II—B.Bx.—2359-2369 Jerome Avenue, west side, 60.26 feet south of West 184th Street, Block 3198, Lot 81, Borough of The Bronx, Alt 932-58—re motor vehicle repairs with hand tools only, accessory welding for body and fender work, etc.—business use district.

874-52-BZ—B.Bx.—1774-1750 Zerega Avenue and 2403-2409 Fuller Avenue, northeast corner, Block 3997, Lot 1, Borough of The Bronx, Alt. 833-52—reopened for consideration as to extension of time to complete—re parking and storage of motor vehicles—residence use district.

18-37-BZ—Vol. IV—B.B.—2166-2190 Coney Island Avenue, west side, 100 feet 4 $\frac{3}{8}$ inches south of First Court, Block 6685 B, Lot 34, Borough of Brooklyn N.B. 1986-58—re parking of cars, auto showroom, offices, servicing of new and used cars, etc.—business and residence use district.

701-52-BZ—Vol. III—B.Q.—47-55 37th Street and 37-05 to 37-19 48th Avenue, northeast corner and 47-42 to 47-60 38th Street, Block 228, Lot 1, Long Island City, Borough of Queens, Alt. 1340-57—re accessory parking lot, etc.—business and residence use district.

630-38-BZ—Vol. III—B.M.—118-134 Park Avenue, west side, from East 41st to East 42nd Streets; 57-63 East 41st Street and 74-80 East 42nd Street, Block 1276, Lot 33, Borough of Manhattan, B.N.—re electric signs—retail and restricted retail use district.

367-51-BZ—Vol. IV—B.B.—50-72 Jamaica Avenue and 2-16 Pennsylvania Avenue, southwest corner and 1-7 Sheffield Avenue, Block 3659, Lots 1, 14 and 15, Borough of Brooklyn, Amendment to N.B. 1617-57—re brick pylon and sign—business use district.

797-54-BZ—B.B.—690-700 Utica Avenue and 818-828 Clarkson Avenue, southwest corner, Block 4636, Lot 6, Borough of Brooklyn, N.B. 122-56—reopened for consideration as to extension of time to complete—re gasoline service station, store, washing, greasing, parking and storage of automobiles, etc.—business use district.

206-42-BZ—Vol. II—B.Q.—91-92 63rd Drive, northeast corner of Alderton Street, Block 3104, Lot 208, Rego Park, Borough of Queens, N.B. 3403-58—re gasoline service station, lubritorium, auto laundry, parking lot, etc.—retail use district.

185-31-BZ—Vol. III—B.B.—1155-1161 Madison Street, north side, 75 feet east of Central Avenue, Block 3360, Lots 52 and 55, Borough of Brooklyn, Amendment to Alt. 691-44—reopened for consideration as to time to complete—re extension of time to complete—residence and business use district.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

	Last Publication
Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior)....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Nov. 13, 1956.
Smoking in Factories, Rules for..	Sept. 7, 1937—Vol. 22, No. 36
Spraying and Drying of Paints,	April 15, 1958.

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	Last Publication
Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code) ..	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—	July 11, 1958.

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

DECEMBER 16, 1958, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, December 16, 1958, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the follows matters:

277-58-BZ

APPLICANT—Leonard F. Rothkrug, for Frank and Leana Mezzacappa, owners; Michael Battista, lessee.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the rebuilding of an accessory motor vehicle repair shop building to an existing gasoline service station and motor vehicle repair shop with parking of cars awaiting service.

PREMISES AFFECTED—175 Targee Street, southeast corner of Broad Street, Block 563, Lot 60, Stapleton, Borough of Richmond.

522-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, F area district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, minor repairs with hand tools only solely within the accessory building with less than the required setback and parking of more than five (5) motor vehicles awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—166-15 Willets Point Boulevard, north side, entire triangular block bounded by 166th Street and Cross Island Parkway, 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens.

365-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.

SUBJECT—Application May 27, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one story building from a garage for more than five (5) motor vehicles to an auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental painting and spraying, storage of parts, parking and storage of motor vehicles waiting to be serviced, loading and unloading and welding.

PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet 4½ inches east of Rogers Avenue, Block 5066, Lot 23, Borough of Brooklyn.

273-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Tudor Art Galleries, Charles Albert, President, owner.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of an extension to an existing structure, formerly two four story buildings and now connected, the proposed extension to have the second, third and fourth floors occupy the same area as the first floor.

PREMISES AFFECTED—309-311 East 56th Street, north side, 130 feet east of 2nd Avenue, Block 1349, Lots 6 and 7, Borough of Manhattan.

927-57-BZ

APPLICANT—Melvin E. Kessler, for Brith Realty Co., owner; John Antolotti, lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under section 7a of the Zoning Resolution, to permit in a residence use district, the extension of the existing restaurant to enlarge the kitchen area.

PREMISES AFFECTED—337-339 East 49th Street, north side, 225 feet west of First Avenue, Block 1342, Lot 16, Borough of Manhattan.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.

PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of The Bronx.

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusci-ano, for Jerome Estates, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.

PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

489-58-BZ

APPLICANT—New York Telephone Company, owner. Mr. Harold V. Dixon, General Solicitor.

SUBJECT—Application August 18th 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as a telephone exchange.

PREMISES AFFECTED—164 Schofield Street, south side, 190.8 feet, east of City Island Avenue, Block 5641, Lot 315, Borough of The Bronx.

485-58-BZ

APPLICANT—Paul Trapani for Abe and Elizabeth Sholachman, owner.

SUBJECT—Application August 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of an extension to the rear of an existing one family dwelling that will encroach on the required rear yard.

PREMISES AFFECTED—2835 Gunther Avenue, west side, 200.27 feet, south of Arnow Avenue, Block 4792, Lot 14, Borough of The Bronx.

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257-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corporation, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for overflow parking of patrons cars attending the nightclub located across the street for a temporary term of ten (10) years.

PREMISES AFFECTED—4101-4123 Avenue V, 2236-2238 and 2246-2284 Hendrickson Street, northwest corner, 2231-2245 and 2251-2283 Coleman Street, Block 8558, Lots 1, 18, 22, 24 and 57, Borough of Brooklyn.

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.

SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.

PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.

SUBJECT—Application reopened June 3, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, and 21 of the Zoning Resolution, to permit in a retail and residence use district, the reconstruction of an existing gasoline service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks and to relocate pumps and curb cuts.

PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.

SUBJECT—Application September 17, 1957—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.

PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.

PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 ft. south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

738-57-BZ

APPLICANT—Lama, Proskauer and Prober, for 644 Bushwick Avenue Corporation, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, extending from the unrestricted to the business portion.

PREMISES AFFECTED—640-648 Bushwick Avenue and 14-20 Troutman Street, south side, 131 ft. 8¾ in. west of Myrtle Avenue, Block 3182, Lot 18, Borough of Brooklyn.

593-41-BZ—Vol. III

APPLICANT—William B. Lichtner for Farock Theater Corporation, owner, Lee Service Center, Lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7i of the Zoning Resolution to permit in a business use district at an existing gasoline service station, the erection of a one bay extension to the existing accessory building and to extend the uses to include minor auto repairs with hand tools only.

PREMISES AFFECTED—10-25 Beach 19th Street, west side, 97.1 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens.

714-56-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the enlargement in the open area of a proposed gasoline service station, previously granted by the Board, to provide safer facilities for cars entering and leaving by adding two new curb cuts.

PREMISES AFFECTED—1346 Edward L. Grant Highway, east side, 369 feet north of West 169th Street, Block 2871, Lots 81, 83 and part of Lot 77, Borough of The Bronx.

1002-57-BZ

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the extension of an existing two-story and cellar building to extend the manufacture of toys to the second floor, previously used for the manufacture of women's wear.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

1003-57-A

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction—increase in area—exits, etc.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

275-58-BZ

APPLICANT—J. M. Berlinger, for Martin Brown and William Turner, owners.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under sections 7e, 9A and 21 of the Zoning Resolution, to permit in a residence use, Class 1

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height district, the erection of a six (6) story multiple dwelling with a 70 car garage that exceeds the allowable height, is located within two miles of a designated airport and provides for three (3) retail stores on the first floor. PREMISES AFFECTED—1261 Far Rockaway Boulevard, southwest corner of Beach 12th Street, Block 35, Lots 17-27 and Lot 31, Far Rockaway, Borough of Queens.

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., owner.

SUBJECT—Application October 4, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubritorium, non-automatic, auto laundry, sale of automobile accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years. PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

199-57-BZ

APPLICANT—Max Siegel Associates, for Abraham Hirschfeld, owner.

SUBJECT—Application reopened November 25, 1958 for consideration as to extension of time to complete, expired September 18, 1958—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

Laid over from November 12, 1958, to November 18, 1958, applicant failed to give full notice to property owners; then to December 16, 1958 for inspection and decision; hearing closed.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

Laid over from November 18, 1958 to December 16, 1958, for inspection and decision; applicant may file brief as to Section 21; hearing closed.

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellerose, Borough of Queens.

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adea Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1501-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

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332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; applicant to submit list of dwellings occupied by two families, whether legally or illegally, within 150 feet of the subject site.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; applicant to furnish Board plans showing the parking rear of the hospital and copy of the Certificate of Occupancy; hearing closed.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash (non-automatic), minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Queens Village, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Velentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; applicant to file an additional decision of the Borough Superintendent and a record of the Fire Department permits for sale of gasoline and for repairing; no further hearing.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed.

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south

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side, 54 feet west of Richmond Street, Block 4102. Lots 19 and 35, Borough of Brooklyn.

Laid over from November 5, 1958, to November 25, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for inspection and decision.

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7C and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

Laid over from November 25, 1958, to December 2, 1958, at the request of an objector; then to December 16, 1958, for inspection and decision; hearing closed.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; then to December 2, 1958, at the request of an objector; then to December 16, 1958, for applicant to file statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

Laid over from June 27, 1958, for inspection and decision; hearing closed; date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by

briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; then to December 2, 1958, at the request of an objector; then to December 16, 1958, for applicant to file revised statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

360-58-BZ

APPLICANT—Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubritory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

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PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline

service station, lubritorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons, cars for Riccardo's Restaurant on Block No. 876, Lot No. 15 (fee to be charged).

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

Laid over from December 2, 1958, to December 16, 1958, for inspection and decision; hearing closed.

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628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

Laid over from November 12, 1958, to December 2, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for further inspection and decision.

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for hearing, at request of objector; no further requests for adjournments; then to December 16, 1958, for inspection and decision; hearing closed.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for applicant to obtain revised additional objection as to woodworking machinery from the Building Department; hearing closed; then to December 16, 1958, for inspection and decision.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for hearing at request of objector; then to December 16, 1958, for inspection and decision; hearing closed.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.

SUBJECT—Application Aug. 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.

PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.

SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use

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of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.

PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, store and utility room, parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.

PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.

SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.

PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

Laid over from December 9, 1958, to December 16, 1958, for decision; and for applicant to file revised plans showing areas as proposed and as permitted by the Zoning Resolution; hearing closed.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the zoning resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway, northwest corner of West 190th Street and 201-207 Bennett Avenue, northeast corner of West 190th Street, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9½ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

Laid over from November 18, 1958, to December 9, 1958, for continued hearing; then to December 16, 1958, for inspection and decision; hearing closed.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

Laid over from November 25, 1958, to December 9, 1958, for continued hearing to consider proposed change of use and for applicant to file new decision of the Borough Superintendent and new plans, then to December 16, 1958, for applicant to amend his application as to change of use to bowling alley on the second floor; hearing to be continued.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 16, 1958, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, December 16, 1958, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

108-52-SM

APPLICANT—Melvin G. Quayle, for Zonolite Company, owner.

SUBJECT—Application January 2, 1952—Zonolite Vermiculite Gypsum Plaster, approval of.

358-52-SA

APPLICANT—National Airoil Burner Company, owner.

SUBJECT—Application May 7, 1952—National Airoil Rotary Oil Burner, Models D, Direct Driven and Model B, Belt Driven, approval of.

CALENDAR

272-55-SA

APPLICANT—H. C. Little Burner Company, Inc., owner.
SUBJECT—Application March 28, 1958—Safti-Vent Gas-fired Wall Heaters, Models GW-16, GW-22, GW-30, GWT-16, GWT-22, GWT-30, GWR-8 and GWT-8, approval of.

860-56-SM

APPLICANT—Wm. W. Bainbridge, for United States Gypsum Company, owner.
SUBJECT—Application December 9, 1956—U.S.G. Red Top Fire Rated Structo-Lite Basecoat Plaster, approval of.

39-56-SA

APPLICANT—R. M. Homer, for National Foam System, Inc., owner.
SUBJECT—Application January 20, 1956—Aer-O-Foam System (fire extinguishing system), approval of.

144-57-SM

APPLICANT—Masonite Corporation, owner.
SUBJECT—Application January 30, 1957—Masonite Peg-Board, approval of.

37-58-SM

APPLICANT—The National Gypsum Company, owner.
SUBJECT—Application January 27, 1958—Perimsul Perimeter Insulation, with additional trade name, Gold Bond Thermo-Bloc Perimeter Insulation, approval of.

294-58-SA

APPLICANT—Ro-An Heat Reclaimer Corporation, owner.
SUBJECT—Application May 13, 1958—Ro-An Domestic Heat Reclaimer, Model 400, approval of.

344-58-SA

APPLICANT—J. A. Arnao, for Verga Inc., owner.
SUBJECT—Application May 29, 1958—Vega Inc., Comforteer Gas Heaters, Models 340, 340A, 330, 330A, 320, 320A, 316, 316A, 312, 312A, approval of.

377-58-SA

APPLICANT—The Coleman Company, Inc., owner.
SUBJECT—Application June 12, 1958—Coleman Gas-fired Room Heater, Models 2111, 2112, 2113, 2115, 2116, 2117 and 2118, approval of.

439-58-SA

APPLICANT—Empire Stove Company, owner.
SUBJECT—Application July 21, 1958—Empire Gas Room Heaters, Models E-154-6, E-204-6, E-304-6, E-404-6, G-508-M, F-508-M, G-708-M and F-708-M, approval of.

447-58-SA

APPLICANT—Vandewater Associates, Inc., for A. F. Thompson Mfg. Co., owner.
SUBJECT—Application July 23, 1958—Thompson Vented Circulator Type Room Heater, Gas-fired, Models Acme and Heatflo, Series 515V, 520V, 530V, 540V, 550V and 570V, approval of.

507-58-SA

APPLICANT—The Ohio Foundry & Manufacturing Company, owner.
SUBJECT—Application August 26, 1958—Brilliant Fire, Ohio Radiant, Sunburst Models 15-Low, 20-LOT, 30-LOT, 35-LOT, 50-LOT, 65-LOT, 65 LTW, 3500-A, 5000-A and 7000-A, approval of.

517-58-SA

APPLICANT—Premier Stove Company, owner.
SUBJECT—Application September 4, 1958—Premier Gas Room Heaters, Models 6-15V, 6-20V, 6-30V, 6-40V (with suffix A & T), approval of.

551-58-SA

APPLICANT—The Siegler Corporation, owner.
SUBJECT—Application September 19, 1958—Siegler Gas Home Heaters, Models 220G1, 220UB, 330UB, 550UB, 775UB, 885UB, 230, 340, and 560, approval of.

228-58-SA

APPLICANT—John J. Nesbitt, Inc., owner.
SUBJECT—Application April 10, 1958—Nesbitt Suspended Gas-fired Unit Heater, (various models and trade names), approval of.

283-50-SA

APPLICANT—Automatic Burner Corporation, owner.
SUBJECT—Application reopened November 12, 1958 for amendment of resolution as to additional models of oil burners and permission to market under additional trade names—re ABC Oil Burner, Models 62 and 64, National US Oil Burner, Models 64-3-6065 and Thatcher Furnace Co., trade name Thatcher Oil Burner, Models 751-5 and 751-6; previously approved.

568-51-SM

APPLICANT—Holmann & Barnard, Inc., owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional design of wall tie—re Eraydo Alloy Zinc Cavity Wall Tie, Model 148-A; previously approved.

996-57-SM

APPLICANT—Borden Chemical Company, owner.
SUBJECT—Application reopened November 5, 1958 for amendment of resolution as to change in trade names—re Vitro-Bond self curing portland cement mortar for setting ceramic tile; previously approved.

596-56-SA

APPLICANT—Vega Industries, Inc., owner.
SUBJECT—Application reopened November 25, 1958 for amendment of resolution—re Comforteer Gas-fired Room or Space Heater, unvented, Models 1125-S, 118-S, 1225-S, 135-S, 1112-W and C; previously approved.

121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1951—1-B Master Anti-Siphonic Ballcock, approval of.

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.
SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.
PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.
SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.
PREMISES AFFECTED—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

28-58-A

APPLICANT—Leonard F. Rothkrug, for Ginsberg Realty Corp., owner.
SUBJECT—Application January 28, 1958—Appeal from a decision of the Borough Superintendent, re egress.
PREMISES AFFECTED—1657-1663 Broadway, northwest corner of Scaeffler Street, Block 3420, Lot 1, Borough of Brooklyn.

CALENDAR

530-58-A

APPLICANT—Leonard F. Rothkrug and Herbst and Rus-
ciano, for Ohav Sholem Center of The Bronx, owner.

SUBJECT—Application September 9, 1958—Appeal from a
decision of the Borough Superintendent—re Class Rooms
and Rabbinical Office on the 2nd floor of a 3 story non-
fireproof, Class 3 building.

PREMISES AFFECTED—838 Gerard Avenue, east side,
236 feet, 5 inches south of East 161st Street, 2nd floor,
Block 2474, Lot 32, Borough of The Bronx.

613-58-A

APPLICANT—The Frink Corporation, lessee, for Frinre,
Inc., owner.

SUBJECT—Application October 23, 1958—Appeal from a
decision of the Fire Commissioner re use of Ransburg, 2,
Electrostatic Spray Unit, not of approved type, in New
York City.

PREMISES AFFECTED—217-283 63rd Street, northwest
corner of 3rd Avenue, Block 5798, Lot 46, Borough of
Brooklyn.

374-58-A

APPLICANT—Simon B. Zelnik, for J. E. Lobert, owner.

SUBJECT—Application June 20, 1958—Appeal from a deci-
sion of the Borough Superintendent—re construction.

PREMISES AFFECTED—148 West 57th Street, south
side, 225 feet east of 7th Avenue, Block 1009, Lot 55,
Borough of Manhattan.

536-44-A—Vol. III

APPLICANT—Joseph A. Trapani, for Estate of Marion
Spinnler, owner, Louis Wallach, temporary Executor.

SUBJECT—Application reopened September 23, 1958 as
Vol. III, Appeal from a decision of the Borough Super-
intendent, re increase in No. of beds, Nursing Home,
frame construction.

PREMISES AFFECTED—216-16 28th Avenue, south side,
200 feet, east of 216th Street, Block 6019, Lot 103, Bay-
side, Borough of Queens.

377-50-A—Vol. II

APPLICANT—Patrick D. Concagh, for 29 West 38th
Street, Corp., owner.

SUBJECT—Application reopened November 27, 1956 as
Vol. II—re Appeal from a decision of the Borough Super-
intendent.

PREMISES AFFECTED—29-33 West 38th Street, north
side, 446 feet west of 5th Avenue, 4th, 7th, 9th, 10th, 11th,
12th, 14th, 15th, 16th and 17th floors, Block 840, Lot 23,
Borough of Manhattan.

277-54-A—Vol. IV

APPLICANT—The Procter & Gamble Mfg. Company,
owner.

SUBJECT—Application reopened July 22, 1958 as Vol. IV
—Appeal from a decision of the Fire Commissioner—re:
change in use of a 150,000 cubic feet gas storage container
from water to hydrogen.

PREMISES AFFECTED—3666 Richmond Terrace, south-
west corner of Western Avenue, Block 1400, Lot 1, Port
Ivory, Borough of Richmond.

586-58-A

APPLICANT—Abraham Grossman, for Seymour Nathan,
owner.

SUBJECT—Application October 10, 1958—Appeal from a
decision of the Borough Superintendent, re egress, fire
escape, etc.

PREMISES AFFECTED—101-103 Wooster Street, west
side, 125 feet north of Spring Street, Block 501, Lot 28,
Borough of Manhattan.

608-58-A

APPLICANT—Samuel Garnett, for 17 White Street Realty
Corporation, owner.

SUBJECT—Application October 22, 1958—Appeal from a
decision of the Borough Superintendent, re steps to Fire
Escape.

PREMISES AFFECTED—13-19 White Street, south side,
135.2 feet east of West Broadway, Block 178, Lot 25,
Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 6, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing,
Tuesday morning, January 6, 1959, at 10 o'clock at 80
Lafayette Street, 9th floor, New York 13, N. Y., on the
following matters:

991-57-BZ

APPLICANT—Julius S. Rapson, for Rosedale Park Homes,
Inc., owner.

SUBJECT—Application December 30, 1957—decision of the
Borough Superintendent, under section 21 of the Zoning
Resolution, to permit in a G-1 area district, the erection
of a one family dwelling without the required front yard
and within twenty feet of the rear lot line.

PREMISES AFFECTED—129-45 Brookville Boulevard,
northeast corner of 130th Avenue, Block 12889, Lot 1,
Rosedale, Borough of Queens.

323-58-BZ

APPLICANT—Charles M. Spindler, for 9201 Third Ave-
nue Corp., owner.

SUBJECT—Application May 22, 1958—decision of the Bor-
ough Superintendent, under sections 7f, 7e, 7h, 7i, 7A and
21 of the Zoning Resolution, to permit in a retail and resi-
dence use district, the change in use from parking lot to a
gasoline service station with accessory uses of lubritorium,
car washing—non-automatic, office, sale of accessories,
minor repairs with hand tools only, safety inspection sta-
tion and parking and storage of motor vehicles with show
windows and signs within 75 feet of a residence use dis-
trict, the proposed building encroaches on the required rear
yard.

PREMISES AFFECTED—92-01 to 92-13 3rd Avenue and
302-314 92nd Street, southeast corner, Block 6103, Lots 5,
7, 8, and 9, Borough of Brooklyn.

505-58-BZ

APPLICANT—Reginald S. Hardy, for Daniel J. Schaefer,
owner.

SUBJECT—Application August 26th, 1958—decision of the
Borough Superintendent, under section 7h of the Zoning
Resolution, to permit in a residence use district, the main-
tenance of a parking lot for the parking and storage of
more than five (5) motor vehicles for accessory use by
patron of the funeral home and by parishioners of the
church across Fourth Avenue—no fee to be charged.

PREMISES AFFECTED—416 42nd Street, south side, 100
feet, east of 4th Avenue, Block 724, Lot 11, Borough of
Brooklyn.

1002-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Abraham
Rosenberg, Rebecca Rosenberg, Sylvia Rosenberg and
Shirley Firkser, Marion Friedman and Ruth Gold, owners.

SUBJECT—Application reopened May 20, 1958 as Vol. II
—decision of the Borough Superintendent, under sections
7f, 7e and 7i of the Zoning Resolution, to permit in a
retail and residence use district, the erection and main-
tenance of a gasoline service station, lubritorium, minor
auto repairs, car washing, office and sales, storage and
parking of cars waiting to be serviced.

PREMISES AFFECTED—113-14 to 113-20 Rockaway
Boulevard (113-16 official) and 114-24 to 114-30 114th
Street, southwest corner, Block 11705, Lots 36, 37, 38, 39
and 40, Jamaica, Borough of Queens.

CALENDAR

206-47-BZ—Vol. III

APPLICANT—Joshua Brown, for Anthony Coppola, owner.

SUBJECT—Application reopened April 8, 1958—as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, extension of the use of the present gasoline service station to include an authorized state auto inspection station, minor repairs and parking and storage of more than five cars awaiting service.

PREMISES AFFECTED—167 Olympia Boulevard and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

625-58-A

APPLICANT—Joshua Brown, for Anthony Coppola, owner.

SUBJECT—Application October 30, 1958—filed pursuant to section 35, General City Law re proposed driveway and Curb Cuts in bed of a mapped street—proposed widening of Olympia Boulevard.

PREMISES AFFECTED—167 Olympia Boulevard, and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

1187-24-BZ—Vol. III

APPLICANT—New York Telephone Company for same, owner, Harold V. Dixon, General Solicitor.

SUBJECT—Application reopened June 17, 1958 as Vol. III—decision of the Borough Superintendent under section 7d of the Zoning Resolution, to permit in a residence use, E-1 area district, the New York Telephone Company to construct a one-story addition to the two story portion of the Richmond Hill Central Telephone Exchange building.

PREMISES AFFECTED—87-28 109th Street (official 87-28 109th Street) west side, 264.67 feet south of Jamaica Avenue and 87-29 108th Street, Block 9298, Lot 91, Borough of Queens.

573-57-BZ

APPLICANT—W. P. LaVallee, for Alexander Lo Re, owner.

SUBJECT—Application July 25, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the continuance of an existing garage that encroaches on the required rear and side yards.

PREMISES AFFECTED—85-15 Chevy Chase Street, east side, 103.1 feet south of Grand Central Parkway, Block 9968, Lot 100, Jamaica, Borough of Queens.

493-57-BZ

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the change in use from furniture storage to manufacturing of wearing apparel with an area used for manufacture in excess of that permitted.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

494-57-A

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—Appeal from a decision of the Borough Superintendent, re live load, exit, etc.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

1086-23-BZ—Vol. II

APPLICANT—Larry Meltzer, for Chassen Realty Company, Inc., owner (Joseph Stern doing business as Hide-A-Way Garage, lessee).

SUBJECT—Application reopened May 28, 1957 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, in an existing one-story building, the change in use from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and motor vehicle repair shop—non collision or body work.

PREMISES AFFECTED—2772-2774 West 15th Street, west side, 190 feet north of Neptune Avenue, Block 6996, Lot 87, Borough of Brooklyn.

129-58-BZ

APPLICANT—Robert J. Crinnion, for Edward T. and Ada McCarroll, owners.

SUBJECT—Application March 6, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3510 Putnam Place and 288 East 211th Street, southeast corner, Block 3356, Lot 10, Borough of The Bronx.

455-58-BZ

APPLICANT—Kenneth W. Milnes, for Gaetano Trubia, owner.

SUBJECT—Application July 24, 1958—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a local retail use district, the reconstruction and rehabilitation of an existing gasoline service station, accessory building for a lubritorium, car wash, auto repairs—mainly with hand tools and to install one new pump, relocate the existing pumps and install three additional tanks and provide a business sign within 75 feet of a residence use district.

PREMISES AFFECTED—194 Brighton Avenue, southwest corner of Sumner Place, Block 117, Lot 20, New Brighton, Borough of Richmond.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue (displayed) (2542-2544 Atlantic Avenue official) and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

424-58-BZ

APPLICANT—Abraham Farber, for Curb Holding Corporation, owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy of an existing one-story building from sash and door storage to auto showroom, auto repairs, storage of more than five (5) cars and gasoline storage (not for public sale), all for a term of fifteen (15) years.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

425-58-A

APPLICANT—Abraham Farber, for Curb Holding Corp., owner.

SUBJECT—Appeal July 15, 1958 from a decision of the Borough Superintendent, re construction, proximity of Social Club.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

CALENDAR

553-58-BZ

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—decision of the Borough Superintendent, under sections 7c, 7A and 21 of the Zoning Resolution, to permit in a local retail and residence use district, a one story extension to an existing four-story multiple dwelling with basement and cellar and the change in occupancy of the basement floor from apartments to restaurant with storage, office and restrooms in the cellar, the proposed show windows and signs are within 75 feet of a residence use district and the proposed extension exceeds the permitted area.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, Block 1343, Lot 23, Borough of Manhattan.

554-58-A

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent—exit and rear yard.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, basement and 1st floor, Block 1343, Lot 23, Borough of Manhattan.

97-50-BZ—Vol. II

APPLICANT—Julius S. Rapson, for Island Carriers Inc., owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use "D" area district, the erection of loading platform that encroaches on the required rear yard.

PREMISES AFFECTED—150-28 107th Avenue, south side, 203.55 feet west of 154th Street, Block 10130, Lot 20, Jamaica, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision; then to January 6, 1959, for decision at the request of the applicant to acquire additional lot.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 6, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 6, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

33-58-A

APPLICANT—Metropolitan Tobacco Co., Inc., lessee; Anthony Ferrante Building Corp., owner.

SUBJECT—Application January 31, 1958—Appeal from an order of the Fire Commissioner, re storage of matches.

PREMISES AFFECTED—736 Parkside Avenue, south side, 306 feet, 6 inches east of Nostrand Avenue, Block 4828, Lot 22, Borough of Brooklyn.

487-58-A

APPLICANT—New York City Transit Authority, for City of New York, owner. New York City Transit Authority, Lessee.

SUBJECT—Application August 15, 1958—Appeal from an decision of the Fire Commissioner re: installation of six Diesel oil tanks.

PREMISES AFFECTED—66-99 Fresh Pond Road, north side of right-of-way, 150 feet east of Fresh Pond Road, Block 3619, Lot 3, Ridgewood, Borough of Queens.

511-58-A

APPLICANT—Sidney H. Kitzler, for David Diamond, owner; King Furniture Co., lessee.

SUBJECT—Application August 28, 1958—Appeal from a decision of the Borough Superintendent, re stairway, live load, etc.

PREMISES AFFECTED—398-400 Rockaway Avenue, west side, 189 feet, 4½ inches north of Pitkin Avenue, Block 3499, Lot 161, Borough of Brooklyn.

658-58-A

APPLICANT—Gerhard E. Karplus, Research Institute for The Study of Man, owner.

SUBJECT—Application November 18, 1958—Appeal from a decision of the Borough Superintendent, re stair enclosure opening on elevator shaft.

PREMISES AFFECTED—162 East 78th Street, south side, 151 feet, 3 inches east of Lexington Avenue, Block 1412, Lot 47, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

JANUARY 13, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 13, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

185-31-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, for Koster's Bakery Company, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete—decision of the Borough Superintendent previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence and business use, C area district, the extension of a business building (bakery), covering more than the permitted area.

PREMISES AFFECTED—1155-1161 Madison Street, north side, 75 feet east of Central Avenue, Block 3360, Lots 52 and 55, Borough of Brooklyn.

65-47-BZ

APPLICANT—Sanders and Glazer, for Carmen Pisano, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of term of variance, expired July 15, 1957—decision of the Borough Superintendent, previously granted on condition under section 7e of the Zoning Resolution for a term of years, permitting in a local retail use district, the extension of existing building and the change of occupancy from three stores and eight families to funeral chapel and seven families and the erection of a garage at rear for five (5) motor vehicles.

PREMISES AFFECTED—54-56 Tompkins Avenue and 712-720 Park Avenue, southwest corner, Block 1739, Lots 38 and 39, Borough of Brooklyn.

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874-52-BZ

APPLICANT—Patrick R. O'Connor, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking and storage of motor vehicles.

PREMISES AFFECTED—1774-1750 Zerega Avenue and 2403-2409 Fuller Avenue, northeast corner, Block 3997, Lot 1, Borough of The Bronx.

797-54-BZ—Vol. II

APPLICANT—Harry A. Yarish, for Anthony Trotta, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete, expired March 26, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f, 7i and 7e of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, store, washing, greasing, minor auto repairs, with hand tools only, parking and storage of automobiles, dwelling and 2 car garage accessory to dwelling; show windows within 75 feet of residence use district.

PREMISES AFFECTED—690-700 Utica Avenue and 818-828 Clarkson Avenue, southwest corner, Block 4636, Lot 6, Borough of Brooklyn.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; then to January 13, 1959, at request of the applicant; no further notices to be sent out.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

PREMISES AFFECTED—1227-1233 Pelham Parkway

and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

Laid over from December 9, 1958, to January 13, 1959, for inspection and decision; hearing closed.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubricatorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

Laid over from December 9, 1958, to January 13, 1959 for inspection and decision; hearing closed.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection; then to January 13, 1959, for further consideration as to the progress of construction of the church building on the plot adjacent.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail

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use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use; then to January 13, 1959, as request of applicant to consider possibility of conforming use.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 13, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 13, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.
SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.
PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

7-58-A

APPLICANT—Loral Electronics Corp., lessee, for Herbco Realty Corp., owner.
SUBJECT—Application January 3, 1958—Appeal from a decision of the Fire Commissioner—re permit for smoking—factory.
PREMISES AFFECTED—825 Bronx River Avenue, northeast side, 300 feet east of Story Avenue, Block 3621, Lot 10, Borough of The Bronx.

286-58-A

APPLICANT—Clinton Brown, for Newton Associates, Inc., owner; World Dyeing and Finishing Co., lessee.
SUBJECT—Application April 30, Appeal from Orders of the Fire Commissioner, a decision re Orders of the Fire Commissioner and a decision of the Borough Superintendent, re location of Oil Burner, and removal of oil storage tank.
PREMISES AFFECTED—345 West 13th Street, and 670-676 Hudson Street, northeast corner, 6th floor, Block 629, Lot 4, Borough of Manhattan.

330-58-A

APPLICANT—Jack Fein, for Otto Van Glahn, owner.
SUBJECT—Application May 23, 1958—Appeal from a decision of the Borough Superintendent, re exit stairs.
PREMISES AFFECTED—1325-27 Broadway, north side, 83 feet, 11 inches, east of Grove Street, Block 3321, Lot 59, Borough of Brooklyn.

528-58-A

APPLICANT—Lama, Proskauer and Prober, for Anna Turso, owner.
SUBJECT—Application August 3, 1958—Appeal from a

decision of the Borough Superintendent—re frame structure for commercial use within fire limits.

PREMISES AFFECTED—1889-1893 Fulton Street, north side, 103 feet, 2¼ inches east of McDougal Street, Block 1530, Lot 19, Borough of Brooklyn.

378-58-A

APPLICANT—Noah N. Sherman, for Karo Film Corp., owner; Bonded Film Storage Co., Inc., lessee.
SUBJECT—Application June 17, 1958—Appeal from a decision of the Borough Superintendent, re: sprinklers.
PREMISES AFFECTED—42-53 21st Street, east side, 59.87 feet north of 43rd Avenue, Block 427, Lot 24, Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 20, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 20, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.
SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.
PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

Laid over from December 9, 1958, to January 20, 1959, for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.
SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

Laid over from December 9, 1958, to January 20, 1959, for applicant to file revised plans eliminating the curb cut to Seeley Street; hearing closed.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 27, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 27, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.
SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor

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vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant

to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center; then to January 27, 1959, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman*.

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REGULAR MEETING

TUESDAY MORNING, DECEMBER 9, 1958, 10 A.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, November 25, 1958, were approved as printed in the Bulletin of December 2, 1958, Vol. 43, No. 48.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

793-20-BZ—Vol. II

APPLICANT—Irving P. Marks, for 6101 Realty Corporation, owner; The Great Atlantic and Pacific Tea Co., lessee.

SUBJECT—Application reopened, as Vol. II October 21, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit partly in a business and partly in a residence use district, the change in use of a building from theatre to self-service market, office and dance hall and the erection of a one and two-story extension at the southerly side of the building.

PREMISES AFFECTED—720-730 Washington Avenue, west side, 32 feet, 6 inches south of Prospect Place, Block 1160, Lot 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks, Sam J. Raffa and Richard Lazarus.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for applicant to amend his application as to change of use to bowling alley on the second floor; hearing to be continued.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet 9½ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Martin Marganrath.

For Opposition: John F. Brassil.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.

SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Sidney W. Gottlieb, Anneliese Robinson, Margaret Donnelly, Joseph Bulavinetz, Peter Bulavinetz and Vera Armine.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline

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service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: None.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A. M. at request of applicant to consider possibility of conforming use; hearing previously closed.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A. M. for further consideration as to progress of the construction of the church building on the plot adjacent; hearing previously closed.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem.

For pposition: Dorothy Walsh.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the Zoning Resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway and 201-207 Bennett Avenue, northwest corner, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem, Victor E. Block and Theodore Basch.

For Opposition: A. Lichter and Harry D. Meyer, Jr.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug, Peter Baron and I. Whinston.

For Opposition: Irene C. Kellner, John Pelosi, Betty Santangelo, Jeanette Buchbinder, Carlo Piccin, Joseph Possavino, Aaron Steinman, Mrs. Domenick Pezza, Mrs. Aniello Mucciolo, Mrs. Anna Di Carlo, Mrs. Phil Virtuoso, Mrs. Anna Fortino, Mrs. Monforte, Mr. Joseph Borrelli, Salvino Mascola, Samuel Eisenberg, Ralph Pecorelli, Paul A. Fino, Alfred E. Santangelo, Cosimo S. Mancino and Nicholas Tacovella.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A.M. for inspection and decision; hearing closed.

9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubritorium, and to extend the uses to include auto body and fender repairs for a stated term of fifteen (15) years.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker and Vincent De Palma.

For Opposition: Alfred Francia, Michael A. Hoffman, Hyacinth Boquet Barker, Charles Barker and Mike Cibelli.

ACTION OF BOARD—Laid over for inspection and decision; date to be set; hearing closed.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A. M. at the request of the applicant to acquire additional lot, hearing previously closed;

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning

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Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.

PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: L. F. Rothkrug, A. Nappi and J. B. Milgram.

For Opposition: Benjamin Piscietta, Antonio J. Rizzitano and Francesco C. S. Veneziano.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the use of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.

PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

APPEARANCES—

For Applicant: Frank Damiano.

For Opposition: Victor Romano and Ernest De Maria.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

280-58-BZ

APPLICANT—James E. Vassalotti, for L.L.F. Realty Co, Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Ben Schatz, Mrs. A. Semonoff, Mrs. L. Orlando, B. Teike, F. Yannig, Vito Ciccarella, Yetta Landy, Mrs. Blumenstock, Ethel Thau, Harriet Selvin, Marilyn Checkla, Gertrude Perlman, Albert Jouen and Max Berman.

ACTION OF BOARD—Laid over to January 20, 1959, at 10 A.M. for inspection and decision; hearing closed.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, store and utility room, parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: James A. O'Malley and Stanley M. Katz.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: Morris Mostoff, Harry Mostoff, Frances Buatti, Joseph Marchese, Armnd Bufalini, Helen K. Hendrick, Mary and Sam Gabatino.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A.M. for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

PREMISES AFFECTED—75-85 McDonald Avenue, northeast corner of Seeley Street, Block 5260, Lots 1, 42 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Laid over to January 20, 1959, at 10 A.M. for applicant to file revised plans eliminating the curb cut to Seeley Street; hearing previously closed.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—57-13-57-23 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Armand Bitetti, Ronald H. Eklund, Frank Giordano, Josephine Carlopio, Susie Curcio, Dorothy Frauenberger, Edna Ollry, Madeline Voss, Concalata Samolo, T. Rubitone, G. Zitelli, M. Rizzo, Ernest De

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Luca, A. Godino, M. Sallfors, Caroline Jones, Howard Fuller, F. Cosentino, C. Simolo and Paul Schepis.
ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leon Komondorea.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isadore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubricatorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Lou Rosenberg.

For Opposition: Ethel Weinberg, Rev. P. N. Papageorge and Edith Schweitzer.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A. M. for inspection and decision; hearing closed.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City Law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A. M. for inspection and decision; hearing closed.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.

PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.

SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.

PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Julian Roth and Lester R. Bachner.

For Opposition: John J. Reynolds and John H. Kelly.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for decision; and for applicant to file revised plans showing areas as proposed and as permitted by the Zoning Resolution; hearing closed.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubricatorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Murray Stockman, Jacob I. Isaacs and Joseph B. Lynch.

For Opposition: Antonio Digrigoli, Paul A. Fino, Joseph C. Di Carlo, J. Martelli, E. Chiger, John Pammer, Ludwig Gusz, Marie Favata, Caroline Magro, Jennie G. Ferris, Thomas J. Ferris, Rose Bruno, Ramon D. Held, Mortimer Katzen, Generoso Castaldo, Daniel J. Kenny, Nathan Biller, Benjamin F. Nolan, Lucy Garofalo, Angelina & Carmello Mannuccia, Pauline Tamborrino, Gerald E. Volino, Martha Blumenthal, Anna Sparago, Angelo & Elizabeth Gandolfo, A. Friglia, Nicolino D'Acri and others.

ACTION OF BOARD—Laid over to December 16, 1958, at 10 A. M. for inspection and decision; hearing closed.

800-57-BZ

APPLICANT—Leonard F. Rothkrug, for Mildren Cohen, owner; Esso Standard Oil Company, lessee.

SUBJECT—Application November 6, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station with accessory auto laundry—non automatic, auto repair shop with hand tools only, lubricatorium, office and sales, all for a term of fifteen (15) years.

PREMISES AFFECTED—1290-1304 Remsen Avenue, southwest corner of Avenue J, Block 8040, Lot 61, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: H. Maas.

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ACTION OF BOARD—Application withdrawn without prejudice at request of applicant to await improvements in the area proposed by the Borough President.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

971-57-BZ

APPLICANT—Edward J. Croce, for McFadden Brothers Post Memorial Association, owner.

SUBJECT—Application December 26, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) pleasure type motor vehicles.

PREMISES AFFECTED—518-524 Prospect Avenue, south side, 325 feet east of Prospect Park West, Block 871, Lots 22 and 24, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.
For Opposition: Martha Messina, Amanda Krudener, Louise Gauzza, Elizabeth Lenne and Gladys Humenik.

ACTION OF BOARD—Application withdrawn at request of applicant.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

397-58-BZ

APPLICANT—Henry Nordheim, for Juetta Lyscombe, owner; Bernard Jefferson, lessee.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the change in use of an existing building from stable with storage of hay and feed on mezzanine to motor vehicle repair shop and storage of parts on the mezzanine floor.

PREMISES AFFECTED—641 Coster Street, west side, 325.25 feet north of Randall Avenue, Block 2765, Lot 276, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph O'Mara.
For Opposition: None.
For Administration: John J. Saunders, B'd. of Education.

ACTION OF BOARD—Application withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee found that the portion in the rear known as Lot 279 is held by the City Real Estate Department and the committee is of the opinion that the Department has no power to permit parking of cars on that lot; and

WHEREAS, the committee is of the opinion that the building is too small to use for parking or the repair work as proposed unless there is room permitted on Lot 279 for at least 2 cars which cannot be permitted unless there is an application filed with this Board for a zoning variance, so temporarily the committee recommends that the applicant should withdraw this application and file a new application to include parking within Lot 279.

Resolved, that the application be and is hereby withdrawn.

621-24-BZ—Vol. III

APPLICANT—Howard H. Snyder, for Terin Garage Corp., owner.

SUBJECT—Application reopened November 18, 1958 for

consideration as to extension of time to complete, expired May 22, 1957—decision of the Borough Superintendent, previously granted on condition, under section 7c of the Zoning Resolution, permitting in a business use district an existing three story garage, the additional parking of motor vehicles on the roof.

PREMISES AFFECTED—234-240 East 54th Street, south side, 100 feet west of 2nd Avenue, Block 1327, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel.
For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this application and extension of time, to obtain permits and complete the work, which had expired by time limitation on May 22, 1957; and

WHEREAS, this application was reopened on November 18, 1957 and set for hearing on December 9, 1958 at 10 A. M., subject to regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the decision of the Borough Superintendent, dated November 5, 1958 acting on amendment to Alt. Applic. No. 142-55, reads:

"6. More than one year has elapsed since Bd. of S. & A. action—this application must be referred back to the Bd. of S. & A. Sect. 22-A Zon. Resol.

7. The Bd. of S. & A. approval was obtained when the Zoning Use was "Business". The Use District is presently Restricted Retail—Bd. action is req'd on this point.

Increase in height of garage bldg. and use of roof for parking for motor vehicles is an extension of a non-conforming use in a Restricted Retail Use district. Art. II Sect. 4-B of the Zon. Resol."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 22, 1956, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution."

1423-39-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Taro Holding Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, minor auto repairs, car washing, office and sales and storage for a temporary term of fifteen (15) years.

PREMISES AFFECTED—2102-2124 Avenue Z, 2609-2615 East 21st Street, southeast corner, 2602-2604 East 22nd Street and 2101-2123 Jerome Avenue, Block 7441, Lot 371, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Theodore Tanner.
For Opposition: Samuel Z. Cohen.

MINUTES

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on May 20, 1958 subject to regular procedure, previously withdrawn; and

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; laid over to November 12, 1958, at the request of an objector; then to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Avenue Z, Jerome Avenue, East 21st Street and East 22nd Street are in a retail use, D area, class 1 height district; that as of July 25, 1916 the premises were in a business use district and received the present retail use designation on April 8, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated April 14, 1958 acting on N.B. Applic. No. 409-58, reads:

"1. Proposed building and premises, in a retail zone, to be used for gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, and storage is contrary to Article II, PP. 4-A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 57 feet 7½ inches in depth, irregular, presently vacant; that it is proposed to erect and maintain a gasoline service station consisting of twelve 550 gallon gasoline tanks and three approved type dual gasoline dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, with a frontage of 54 feet 7½ inches, a depth of 30 feet and will contain the conjunctive uses of lubritorium, minor auto repairs, car wash, office and sales and storage; that the building will be Colonial in design and in keeping with the surrounding architecture; that the pumps will be set fifteen feet in from the street building lines, so that all cars being serviced will be kept off the sidewalk; and

WHEREAS, the applicant states that the subject premises were before the Board for a similar use in 1940 under Cal. No. 1423-39-BZ, at which time the application was withdrawn; that since then the previous owner lost its property to the City for back taxes; that the present owner acquired this site at a tax sale and took title on April 9, 1958; that the facts as stated above all tend to prove conclusively that this site cannot be used for a conforming use, and the change of use from business to retail further reduces the value of this land for a conforming use; that in 1939 there were three vacant parcels of business property, namely block 7441, lot 271; block 7441, lot 231 and block 7441, lot 439—now lots 439, 440, 441, 442 and 443, and of these vacant properties that existed in 1939, only one parcel was developed for store purposes—block 7441, lot 271; that block 7441, lot 231 is still vacant—block 7441 was subdivided and developed with dwellings; that the site is small and irregular in shape so that it cannot be put to a conforming use that would give the owner an equitable return on his large investment; that the new Bohack super market, erected across from the site on block No. 7441, lot 271, has provided this area with a large enough store to meet the needs of this neighborhood, so that there is no economic demand for additional stores; and

WHEREAS, the applicant states that the present owner has held title to the property since April 9, 1958 and that the assessed valuation of land is \$8,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that in view of the revised plans filed showing open portion

of proposed gasoline station facing stores and not residences, that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions f and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7f for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and accessory uses lawful thereto, substantially as proposed and as indicated on plans filed with this application, marked "Received April 28, 1958", 3 sheets, as amended by revised plan marked "Received November 24, 1958", 1 sheet, on condition that all buildings and uses now on the premises shall be removed and the site leveled substantially to the grade of Avenue Z, and constructed, arranged and designed as indicated on such revised plan, marked "Received November 24, 1958"; that the accessory building shall be toward the west, with the wall on the building line of East 21st Street as shown, arranged and designed as shown; that the doors to toilet rooms shall be arranged so as not to be contiguous; that there shall be no cellar under the building; that the building in all other respects shall comply with the requirements of the Building Code; that along the Jerome Avenue building line from the wall of such accessory building to East 22nd Street and turning along East 22nd Street to Avenue Z, there shall be erected a masonry wall 3 feet in height with steel picket fence on top, and with masonry posts at intervals to a total height of 5 feet 6 inches; that at East 22nd Street, terminating at Avenue Z building line, there shall be a suitable terminating post; that in front of such wall as shown there shall be a planted area with suitable planting protected with a concrete curbing not less than 6 inches wide and 8 inches in height; that pumps shall be of a low approved type, erected not nearer than 15 feet to the Avenue Z building line; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that curb cuts shall be restricted to two on Avenue Z, each 30 feet in width, where shown; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that signs shall be restricted to a permanent sign attached to accessory building, facing Avenue Z and East 22nd Street, and the illuminated globes of pumps, excluding all roof and temporary signs and advertising devices but permitting the erection at the Avenue Z building line of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend not more than 4 feet beyond the building line; that such sign shall preferably be toward the middle of the premises at Avenue Z; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7i for a similar term there may be minor repairs and adjustments with hand tools only, maintained solely within the accessory building; that under Section 7e for a similar term there may be parking of cars awaiting service, provided that such cars are so parked as not to interfere with the servicing of the station; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

563-45-BZ—Vol. I

APPLICANT—Ingram S. Carner for Henry & Carmella Molodzi and Isaac Renert, owners.

SUBJECT—Application reopened April 8, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit the rebuilding of the existing gasoline service station, office and greasing pits to a gasoline service station, office, sale and storage of auto accessories, car washing—non automatic, auto repairs with hand tools only and parking of

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more than five (5) cars waiting to be serviced with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—217-238 Hempstead Avenue, southeast corner of 217th Place, Block 11096, Lot 1, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Ingram S. Carner.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on April 8, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 217th Place and 217th Lane are in local retail and residence use, D and E-1 area, class ½ height districts; Hempstead Avenue is in a local retail use, D area, class ½ height district; 104th Avenue is in a residence use, E-1 area, class ½ height district; that as of July 25, 1916 the portion of the property within 100 feet of Hempstead Avenue was zoned as a business district and the remainder was zoned as residence; that the business portion was changed to its present designation on January 21, 1947; that as of July 25, 1916 the property was zoned as a one times height district and a D area district; that the present height designation became effective on June 30, 1952 and on the same date the portion of the property more than 100 feet from Hempstead Avenue was changed from a D area district to an E-1 area district; and

WHEREAS, the decision of the Borough Superintendent, dated May 13, 1958 acting on Alt, Applic. No. 289-58, reads:

"1. Proposed reconstruction of existing gasoline service station being partly in a local retail zone and partly in a residential use zone for use as a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, auto repairs with hand tools only and parking of more than five cars waiting to be serviced, is contrary to Art. 2, Sec. 4A and Sec. 3 of the Zoning Resolution.

2. Ground sign in a local retail use district is contrary to Art. II, Sec. 4A.

3. Show windows and curb cuts within 75 feet of a residential use district is contrary to Art. 2, Sec. 7A."

and

WHEREAS, the applicant states that the premises consist of a plot, 115.22 feet frontage by 175.71 feet in depth, presently improved with a gasoline service station, erected in 1924 under FP. 1091-24; that the size of the plot has not changed since 1924 approval, and the property has been continually in use as a gasoline service station; that it is proposed to demolish the present one story buildings, fill in the open grease pits, relocate the pump island back 15 feet from the Hempstead Avenue building line, extend the curb cuts as shown, and substantially improve the premises as indicated on plans marked "proposed conditions", which calls for a new masonry, three-bay modern building, including five new 550 gallon gasoline tanks added to present; and

WHEREAS, the applicant contends that the reconstruction of this existing legal gasoline service station will enable the owner to continue to operate in an efficient, modern manner; and

WHEREAS, the applicant states that the present owners have held title to the property since May 16, 1956; that the assessed valuation of land is \$16,000 and of the building \$3,000 making a total of \$19,000; that the building was erected in 1924; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions c, i, h and A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the lawfully existing gasoline service station to be reconstructed as proposed and indicated on plans filed with this application, marked "Received March 11, 1958", 3 sheets, "June 11, 1958", 1 sheet and "August 14, 1958", 1 sheet, *on condition* that all buildings and uses now on the premises shall be removed and the site arranged and reconstructed substantially as indicated in such plans; that the accessory building shall be faced on all sides with face brick and be located along the easterly lot line, where shown, and of the design and arrangement proposed; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line of Hempstead Avenue; that there shall be no pumps facing 217th Place; that curb cuts shall be restricted to two, each 30 feet in width, to Hempstead Avenue and one 30 feet in width to 217th Place within 40 feet from the intersection and with no curb cut nearer the residential zoning line as shown; that along the rear and side lot lines there shall be a planted area as shown, protected by a concrete curbing not less than 8 inches in height and 6 inches in width and extended where shown and along 217th Place for a distance of approximately 100 feet; that the balance of the premises shall be paved with concrete or asphalt; that the number of gasoline storage tanks shall not exceed the existing five tanks which shall be tested by the Fire Department and not used if not found in good structural condition, and five additional tanks; that signs shall be restricted to a permanent sign attached to the facade of the accessory building, facing Hempstead Avenue and the illuminated globes of the pumps, excluding all roof and temporary signs and advertising devices, but permitting the erection within the intersection of Hempstead Avenue and 217th Place of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to be at right angles to Hempstead Avenue and to extend not more than 4 feet beyond the building line; that under Section 7A any use in connection with show windows and curb cuts not in accordance therewith may be permitted, provided the requirements of this resolution are complied with; that under Section 7i for a similar term there may be minor repairs for adjustments only with hand tools, maintained solely within the accessory building; that under Section 7h for a similar term there may be parking of cars on such spaces as will not interfere with the servicing of the station; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that sidewalks and curbing abutting the site shall be reconstructed or repaired to the satisfaction of the Borough President; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

915-48-BZ—Vol. III

APPLICANT—Joseph Torelli for Big Ten Super Service Station, Inc., owner.

SUBJECT—Application reopened July 15, 1958 as Vol. III—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit, in a residence use district, the extension to the present service building and extend the uses to include motor vehicle repair shop and sale of used cars.

PREMISES AFFECTED—78-15 31st Avenue, northwest corner of 30-66 79th Street, Block 1127, Lot 40, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons and Joseph Torelli.

For Opposition: None.

MINUTES

ACTION OF BOARD—Resolution amended.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on July 15, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 31st Avenue, 78th Street, 79th Street and 30th Avenue are in a residence use, D area, class 1 height district; that on July 25, 1916 the premises was located in an unrestricted use district, C area, class 1 height district; that on July 31, 1947 the use and area districts were changed to the present designations; that the height zoning has remained unchanged; and

WHEREAS, the decision of the Borough Superintendent, dated June 5, 1958 acting on Alt. Applic. No. 1050-58, reads:

"1. Proposed change in use from a gasoline service station, minor auto repairs with hand tools only, office, sales of auto accessories, lubrication, auto washing (non-automatic) and parking of cars waiting to be serviced, to a gasoline service station, motor vehicle repair shop, office, lubrication, auto washing (non-automatic), sale of auto accessories, parking of cars waiting to be serviced and sale of used cars constitutes an extension of a non conforming use in a residence use district and is contrary to Art. 2, Sec. 3 of the Z.R.

2. The proposed extension of a building which is used in conjunction with a gasoline service station on a lot in a residence use district is contrary to Art. 2, Sec. 3 of the Z.R. and contrary to the resolution of the Board under Cal. #915-48-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot, 111 feet frontage by 161 feet in depth, presently developed as a gasoline service station pursuant to a zoning variance granted by the Board under Cal. No. 915-48-BZ; that under Volume II the Board amended its Resolution on February 26, 1952 so as to include automobile repairing as part of the permitted occupancy; that Certificate of Occupancy No. Q88486 is now in force covering this premises; that it is now proposed to construct a one story extension to the existing building; that this extension will consist of adding one bay to the side of the present building and constructing a rear extension approximately 49 feet wide and 58 feet in average depth; that the additional bay will be used for auto washing and the rear extension will be used for motor vehicle repairing; that it is also proposed to include the sale of used cars in the proposed occupancy; and

WHEREAS, the applicant states that the proposed rear extension will be constructed using existing foundation walls at the rear and east side; that these foundations were installed under N.B. Applic No. 132-39, on which a permit for the foundation work was issued June 16, 1939; that at that time the premises was zoned unrestricted and plans had been filed for the construction of a gasoline station, repair shop and garage; that this work never proceeded beyond the foundation stage and, when the present building was constructed, a zoning variance was necessary because a building of a different size and shape was proposed; that the proposed rear extension will be set some 4 feet 6 inches from the rear and east lot lines and some 42 feet from the west lot line; that the north and east walls will be constructed of unpierced masonry to provide a maximum of protection to adjoining occupancies; that the proposed overhead doors into the repair shop will face the west, facing an adjoining gasoline station on lot No. 46; that the repairing proposed will consist of engine, transmission, electrical and similar

mechanical repairs; that no body or fender work will be carried on, and no paint spraying, welding or burning will be conducted on the premises; that no outdoor used car sales area will be created, and the used car sales use requested is necessary in order to obtain a license to permit the occasional sale of a customer's motor vehicle; that the arrangement of the balance of the premises will remain unchanged; that the present building, fencing, curb cuts, gasoline tanks, pumps and shrubbery areas will remain as per the last Board approval; and

WHEREAS, the applicant contends that since the proposed extension will be located on a lot now approved for use as a gasoline service station, and since a permit had been issued when the property was in an unrestricted zone for a building larger in area than that now proposed, as well as the other facts above set forth, it is requested that this application be granted; that it is also requested that the term of the original variance, which will expire shortly, be extended for additional temporary term of fifteen years; and

WHEREAS, the applicant states that the present owner has held title to the property since July 11, 1955; that the assessed valuation of land is \$22,000 and of the building \$13,000 making a total of \$35,000; that the building was erected in 1949; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 5, 1949, and as thereafter amended by resolution adopted April 1, 1952, by adding thereto:

"that in the event the owner desires to extend the accessory building for the construction of an addition and planted area as proposed and shown on plans filed with this application marked, "Received June 26, 1958, 5 sheets, such extension may be permitted *on condition* that in all other respects the requirements of the resolutions above cited shall be complied with; that the accessory building extension as proposed for repair work shall be constructed of fireproof construction except that the roof may be of non-fireproof construction and there shall be no windows in the wall of such building except toward the west where there may be windows as shown, together with the access doors and pedestrian door; that there shall be no cellar under such extension and the floor shall be of concrete; that the motor vehicle repairing shall be as heretofore permitted and there shall be no collision work or fender repairing or any other heavy type of repairing; that there may be an additional use for the sale of used cars in the space to the East as indicated on plans for not over three cars; that the parking area as shown and proposed shall be maintained at all points with suitable planting material and properly protected with a concrete curbing 8 inches in height and 6 inches in width; that such fire-fighting equipment shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

78-52-BZ

APPLICANT—Howard H. Snyder, for 768 Corporation, owner.

SUBJECT—Application reopened November 18, 1958 for consideration as to extension of time to complete, expired October 24, 1956—decision of the Borough Superintendent, previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, the extension of existing stores by converting living quarters in rear of stores to store use and permitting the alteration of one store front by the installation of new front door and show window.

PREMISES AFFECTED—66 East End Avenue, west side, 76 feet 8½ inches north of East 82nd Street, Block 1579, Lot 26, Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: Howard H. Snyder.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the work.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this appli-
cation and extension of time, to obtain permits and complete
the work, which had expired by time limitation on October
25, 1956; and

WHEREAS, this application was reopened on November
18, 1958 and set for hearing on December 9, 1958 at 10
A.M., subject to regular procedure, waiving all requirements
except a new decision of the Borough Superintendent and
two publications in the Bulletin; and

WHEREAS, a public hearing was held on this application
on December 9, 1958 after due notice by publication in the
Bulletin; and

WHEREAS, the decision of the Borough Superintendent,
dated October 23, 1958 acting on amendment to Alt. Applic.
No. 1755-51, reads:

"A4. As the amended Board of Standards & Appeals
Case #78-52-BZ extended by resolution through Oct. 19,
1954 within the requirements of Sec. 22A has expired,
therefore the above request for an extension of time is
disapproved."

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on June 10, 1952, as
thereafter amended by resolutions adopted through October
25, 1955, only so far as it has reference to the time within
which to obtain permits and complete the work, so that as
amended this portion of the resolution shall read:

"that all permits required shall be obtained and all
work completed within the requirements of Section 22A
of the Zoning Resolution from the date of this *amended*
resolution."

573-56-BZ

APPLICANT—Wechsler and Schimenti, for 335 West 49th
Street Corp., owner.

SUBJECT—Application reopened November 18, 1958 for
consideration as to extension of time to complete, expired
March 10, 1958—decision of the Borough Superintendent,
previously granted on condition under section 7a of the
Zoning Resolution, permitting in a retail use district, the
change of use of the cellar, first and second floor in an
existing building from garage to storage in the cellar and
factory (iron works) on the first floor and the second
floor from factory to storage.

PREMISES AFFECTED—335 West 49th Street, north
side, 275 feet east of 9th Avenue, Block 1040, Lot 12, Bor-
ough of Manhattan.

APPEARANCES—

For Applicant: Emanuel Fogel.

For Opposition: None.

ACTION OF BOARD—Time extended to complete the
work.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the applicant requested reopening of this ap-
plication and extension of time, to obtain permits and com-
plete the work, which had expired by time limitation on
March 10, 1958; and

WHEREAS, this application was reopened on November 18,
1958 and set for hearing on December 9, 1958 at 10 A.M.,

subject to regular procedure, waiving all requirements except
a new decision of the Borough Superintendent and two pub-
lications in the Bulletin; and

WHEREAS, a public hearing was held on this application on
December 9, 1958 after due notice by publication in the
Bulletin; and

WHEREAS, the decision of the Borough Superintendent,
dated October 28, 1958 acting on amendment to Alt. Applic.
No. 181-55, reads:

"1. Change of use of 1st floor to iron works is con-
trary to Art. II, Sec. 4A, Zoning Resolution."

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on September 10, 1957
only so far as it has reference to the time within which to
obtain permits and complete the work, so that as amended
this portion of the resolution shall read:

"that all permits required shall be obtained and all
work completed within the requirements of Section 22A
of the Zoning Resolution from the date of this *amended*
resolution."

482-57-BZ

APPLICANT—John Mashamesh, owner.

SUBJECT—Application June 28, 1957—decision of the
Borough Superintendent, under section 21 of the Zoning
Resolution, to permit in an E-1 area district, the exten-
sion of a one family dwelling that encroaches on the re-
quired rear yard.

PREMISES AFFECTED—46-14 316th Street, west side,
110 feet south of 46th Avenue, Block 7342, Lot 15, Bay-
side, Borough of Queens.

APPEARANCES—

For Applicant: John Mashamesh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application
on December 9, 1958 after due notice by publication in the
Bulletin; and

WHEREAS, the district maps accompanying the Zoning
Resolution show that the site, 215th Place and 47th Avenue
are in a residence use, D area, class 1 height district; 46th
Avenue and 216th Street are in D and E-1 area, class 1
height district; and

WHEREAS, the decision of the Borough Superintendent,
dated November 5, 1958 acting on Alt. Applic. No. 677-57,
reads:

"1. Proposed extension encroaches into the req'd rear
yard in a D district and is contrary to Sec. 14 of the
Z. R."

and

WHEREAS, the applicant states that the premises consist
of a plot, 35 feet frontage by 71.35 feet in depth, occupied
by a one family frame dwelling; that it is proposed to erect
an enclosure 11 feet by 9 feet 6 inches and one story in
height, to the rear of the dwelling for use as a porch, al-
lowing less than the required rear yard; and

WHEREAS, the applicant states that he is the third owner
of the property; that this application is being submitted to
legalize an existing rear extension, which was erected by
the original owner of the property without a permit; and

WHEREAS, the applicant contends that when he purchased
this home he filed a permit, on which he received an objec-
tion due to the fact that it protruded into the required rear
yard; that according to the Zoning Law, a fifteen foot rear
yard is required, but due to the extension there is a rear
yard of approximately 11 feet; that at present this exten-
sion is being used as a playroom for the children and also
a storing place for their bicycles and carriages; that the only

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other place where these things can be stored would be in the basement, but there is no outside entrance therefore causing a great deal of trouble to carry these up and down and through the house; that this extension does not in any way hinder the appearance of the house or of the neighborhood, and none of the neighbors have any complaints against the extension; that in fact, they are trying to help in whatever way they can to legalize this extension; and

WHEREAS, the applicant states that he has held title to the property since July 1, 1957; that the assessed valuation of land is \$1,000 and of the building \$6,500 making a total of \$7,500; that the building was erected September 8, 1950; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the continuance of the existing enclosed porch as proposed and as shown on plans filed with this application marked "Received June 28, 1957", 3 sheets, and "May 14, 1958", 2 sheets, *on condition* that the porch shall be used as an integral part of the single family residence building and shall be used as a playroom and for the storage of play equipment; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

780-57-BZ

APPLICANT—Leonard F. Rothkrug and Anthony Salvati, for Carolina Di Sario, doing business as Artfloral Co., owner.

SUBJECT—Application October 22, 1957—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a retail use district, the maintenance and extension of an existing building and use occupied for the manufacturing of artificial flowers.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 25.28 feet west of 72nd Street, Block 2505, Lot 79, Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Grand Avenue, 71st Street and 72nd Street are in retail and residence use, D area, class 1 height districts; 54th Avenue is in a residence use, D area, class 1 height district; that on July 25, 1916 the premises was in a business use district and was rezoned to its present designation on March 25, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated October 7, 1957 acting on Alt. Applic. No. 969-55, reads:

"3. Proposed extension & change of store to factory use in a retail district is contrary to Art. II Sec. 4A of Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 50.56 feet frontage by 101.25 feet in depth, irregular in area, on which are two frame buildings erected in 1909 for occupancy as retail stores and dwelling, and used and occupied since May 15, 1946 for the manufacture of artificial flowers; that it is proposed to maintain the buildings conjunctively for manufacturing of artificial flowers, and to erect a one story extension 14 feet by 24 feet 6 inches, irregular in area, to be used as a paint spray-room; and

WHEREAS, the applicant states that the premises was in a business use district until March 25, 1954; that the use was established in 1946 when the present owner assumed title; that business records, insurance policies and official documents are available to prove this use was established prior to the change of zone from business to retail and therefore constitutes a prior existing non-conforming use; that the neighborhood is almost completely developed; that all the buildings within the affected area were erected prior to 1954 when Grand Avenue was in a business use district and when the factory use was a permitted use; that the proposed extension is only one story in height, of small area and at the rear of the buildings; that the proposed extension cannot adversely affect any of the surrounding property, and will be used conjunctively with the use established in the existing buildings; and

WHEREAS, the applicant contends that there is no economic demand for use of the buildings as retail stores; that the neighboring area was developed many years ago and there has been little increase in the population to create a need for additional retail stores; that the existing stores more than adequately serve the needs of the community; that the manufacturing of artificial flowers does not constitute a use which would be objectionable to any surrounding property owners; that there are very few employees, no noisy machines and no undesirable odors; that further, it is proposed to repair the buildings and thereby improve the appearance; and

WHEREAS, the applicant states that the present owner has held title to the property since May 15, 1946; that the assessed valuation of land is \$10,000 and of the building \$4,000 making a total of \$14,000; that the building was erected in 1909; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which noted the condition of the frame buildings and also noted that the proposed extension will be of fireproof construction and recommended that the application be granted for such extension, under certain conditions; and

WHEREAS, the spraying material now being used does not appear to have been approved by the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of ten years, to permit the existing buildings to be extended and occupied for the manufacturing and storage of artificial flowers, as proposed and indicated on plans filed with this application, marked "Received October 22, 1957", 4 sheets and "April 17, 1958", 4 sheets, *on condition* that the present frame building shall be fire-retarded on the street floor as to interior walls and ceilings and that the proposed extension shall be of fireproof construction, as proposed and indicated on such plans; that all spraying of flowers shall take place in such extension; that the spraying material used shall be of a water base, non-inflammable type, as approved; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board this day under Cal. No. 19-56-A; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

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19-56-A

APPLICANT—Dominick Salvati and Son for Carolina DiSario, owner.

SUBJECT—Application January 17, 1956—Appeal from a decision of the Borough Superintendent, re extension of frame building-factory.

PREMISES AFFECTED—71-15 to 71-17 Grand Avenue, north side, 20.28 feet and 25.28 feet west of 72nd Street, Block 2505, Lot 79, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated October 7, 1957 on Alt. Applic. 969/55, reads:

"1—Proposed extension of a frame building (the joining of two frame bldgs.) for artificial flowers assembly is contrary to 4.2.1 A.C.

2—No factory permitted in a frame bldg. located within 25' of a non fireproof building per sec. 270(2) Labor Law."

and

WHEREAS, the applicant states that the building has 1 and 2 stories, 10 and 20 feet in height, of class 4 construction, erected 1909, 43 feet front by 68.17 feet irregular in area at 1st floor, 25 feet front by 53.67 feet irregular in area at 2nd floor, located on a lot 50.56 feet front by 101.25 feet irregular in depth, located in a retail use, D area, class 1 height district, and used and occupied since May 1946 as follows: Cellar—ordinary use; 1st floor—2 stores; 2nd floor—1 family; that it is proposed to be increased in area on the 1st floor to 43 feet front by 74.51 feet irregular in depth, and used and occupied as follows: Cellar—ordinary use; 1st floor—manufacturing of artificial flowers, 7 persons; 2nd floor—dwelling, 1 family; that the building is provided with one 2 foot 8 inch wide interior wood stairs, enclosed in partitions of wood lath and plaster, equipped with wood doors, which are not self-closing; that stairhall leads direct to street but not to roof; and

WHEREAS, the applicant states that on this lot are 2 buildings, one 18 by 50 feet 6¾ inches irregular in area, 10 feet in height, occupied as a retail store until 1946 and the other 25 feet by 68 feet 2 inches irregular in area, 2 stories, 20 feet in height, occupied as a retail store on the 1st floor and dwelling for 1 family on the 2nd floor, erected 1909, class 4 construction, and now occupied since 1946 for the assembly and manufacturing of artificial flowers on the combined 1st floor of each building and as a dwelling for 1 family on the 2nd floor; and

WHEREAS, the applicant states that it is proposed to maintain for factory use on the combined 1st stories and to erect a 1 story extension 14 feet by 24 feet 6 inches in area, of class 3 construction, to be used as a paint spray room and to occupy the 2nd floor as a 1 family dwelling, for use of the owner; and

WHEREAS, the applicant states that according to the records of the Department of Buildings that in 1923 the building was used for the retail sale of dry goods and as a tailor shop; that the present owner purchased the premises in 1946 believing that the building was suitable for manufacturing artificial flowers; and

WHEREAS, the applicant contends that compliance with the requirements of the Administrative Code and the Labor Law would constitute unnecessary hardship and would require demolition of the buildings; that the buildings were erected in 1913 for commercial use on the 1st story; that the factory use is also a commercial use; that since the buildings were occupied and erected prior to 1913 and used for factory purposes prior to October 1, 1948; that the

provisions of Section 270 subdivision 2 are not applicable; that there is a cellar under the 2 story building, which will be used for ordinary use; that there is no cellar under the 1 story building; that it is proposed to comply with the live load requirements for the 1st story; that the cellar and 1st story ceilings will be fire retarded and the wall adjoining that of the building to the east similarly fire retarded; that the adjoining building is used as a bar and grill and is under constant supervision at all times when the factory is in operation; that to the west, there is a driveway used in conjunction with this occupancy and the adjoining building to the west has a side yard so that there is at least 10 feet vacant; that the exit facilities exceed the requirements of law; that the combined 1st floor area has less than 2500 square feet; that the horizontal opening between the buildings improves the exit facilities for both buildings; that the occupancy is limited to 7 employees; that the new extension will be of class 3 construction and used as a paint spray room in accordance with the Spray Rules of the Board and all painting will be limited to this area; and

WHEREAS, the premises was inspected by a committee of the board.

Resolved, that the decision of the Borough Superintendent, dated October 7, 1957, acting on Alt. Applic. 969/55, Objections 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and that this variance shall continue only so long as the occupancy is as proposed with the second floor occupied as an apartment for the owner; and that the requirements of the resolution adopted this day under Cal. No. 780-57-BZ shall be complied with.

195-58-BZ

APPLICANT—Burke, Greene and Groh, for Renato and Nino Catalana, owners.

SUBJECT—Application April 1, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the change in occupancy of an existing two story dwelling from one family to a two family dwelling.

PREMISES AFFECTED—223-20 109th Avenue, south side, 180 feet east of 180th Street, Block 11205, Lot 44, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Robert T. Groh.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 28, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, for applicant to file new decision of the Borough Superintendent and revised plans—longitudinal section; hearing closed; then to December 9, 1958; for inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 109th Avenue, 223rd Street, 225th Street and 110th Avenue are in a residence use, G-1 area, class ½ height district; that as of July 25, 1916 it was a class 1 height, D area district; that on June 30, 1952 the height designation was changed from 1 to ½ and on May 1, 1925 the area was changed from D to F and on June 30, 1952 from F to G-1; that there are no present changes pending before the City Planning Commission; and

WHEREAS, the decision of the Borough Superintendent, dated March 11, 1958 acting on Alt. Applic. No. 345-58, reads:

MINUTES

"1. The proposed change of occupancy from a one to two family dwelling in a G-1 district is contrary to Article IV Sect. 16c of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 80 feet frontage by 90.95 feet in depth, irregular; that it is proposed to install a kitchen and this entire floor occupied by one family; and

WHEREAS, the applicant states that although there are no records available in the Building Department for this building, the legal occupancy of which is one family dwelling; that the building has three floors—attic, first and cellar; that the first floor has a kitchen and bath room which will be used for the one family on this floor; and

WHEREAS, the applicant further states that the new partition work shown on the first floor plan of proposed conditions has already been accomplished, but this work was not shown as now existing; that this work was done before the owners realized that they could not legally convert this building from a one to a two family house because of zoning; that no changes in the exterior of the building or the remainder of the plot are contemplated; and

WHEREAS, the applicant contends that there are other two family homes in the area, but whether or not they are legal is not known to him, but they have previously been converted and are now being used as two family homes; and

WHEREAS, the applicant states that the present owners have held title to the property since June 27, 1957; that the assessed valuation of land is \$3,100 and of the building \$3,700 making a total of \$6,800; that the building was erected in 1936; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the change of occupancy of the existing one-family dwelling to a two-family dwelling substantially as proposed and indicated on plans filed with this application marked, "Received April 1, 1958," 4 sheets, and "November 14, 1958," 3 sheets, *on condition* that the building shall not be increased in height or area and in all other respects shall comply with the requirements for a two-family dwelling as shown; and that all permits shall be obtained and all work completed and a New Certificate of Occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

246-58-BZ

APPLICANT—Victor G. Madonia, for Dominick Iandoli, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under Section 7c and 21 of the Zoning Resolution, to permit on a lot partly in a local retail D district and partly in a residential G district, the extension of the local retail use into the residence use district, where a proposed building will be used as a cabaret, bar, restaurant and catering establishment with parking facilities for more than five (5) cars for patrons no fee. The proposed building will occupy more than the permitted area in a G district and located less than 15 feet from the rear yard line.

PREMISES AFFECTED—44-21 227th Street, southeast corner of Northern Boulevard, Block 7480, Lot 50, Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Victor G. Madonia and Dominick Iandoli.

For Opposition: Samuel Bodian, Park Dept.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper..... 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 227th Street and 228th Street is in local retail and residence use, D and G area, class ½ height districts; Northern Boulevard is in a local retail use, D area, class ½ height district; 46th Avenue is in a residence use, G area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 3, 1958 acting on N.B. Applic. No. 4304-57, reads:

"1. The erection of a structure to be used as a Cabaret, Bar, Restaurant and Catering Establishment, parking of more than 5 cars for patrons (no fee to be charged) in the Residence portion of a lot partly in a Retail Use District and partly in a Residence Use district is contrary to Art. II Sec. 3 of Zoning Resolution.

"2. The erection of a building less than 15' to the rear line of the lot in a G area district is contrary to Art. III Sec. 16-B(d) of Zoning Resolution.

"3. The erection of a building in a G area district occupying more than 30% of area of the lot is contrary to Art. III Sec. 16-B(e) of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 340 feet frontage by 159 feet in depth, irregular, presently vacant, having six sides and shaped so as to present practical difficulties in situating a building on it to conform to all requirements of the Zoning Resolution and still be able to build economically; that it is proposed to erect a one story structure of class 3 construction; that its shape is irregular, conforming to the shape of the plot and is set back from Northern Boulevard 160 feet and from 227th Street, 22 feet, the setback from Northern Boulevard being intended to locate the parking facilities nearest to the business area; that the building is 178 feet long, facing 227th Street and 55 feet deep along its north side, parallel with Northern Boulevard; that it is 135 feet long on its south side, which runs parallel to the south property line; that the rear of the building is 240 feet long, running parallel to the rear lot line and abutting it for 135 feet, thereafter setting back seven feet for 35 feet, and five feet for 70 feet; and

WHEREAS, the applicant states that the area in which this plot is located is a great swamp area through which Alley Creek flows into Little Neck Bay, and presents great difficulties, both practical and economic, to the development of the land for residential use; that the only part of the affected area now being used abuts Northern Boulevard on both sides; that this area is occupied by a luncheonette, a miniature golf course, auto repair shop and used car salesroom, a gas station, auto junk yard, a contractor's office and storage yard, two newly constructed stores and a bakery; that the extremely high cost of construction in this area, because of the necessity of land filling, pile driving and the use of reinforced concrete for foundation work, dictates that the site be used for a purpose which is economically sound; that the cost of residential construction would be prohibitive to prospective buyers because of the reasons mentioned above; that the location, unattractive not only because of its proximity to the type of business now in existence along Northern Boulevard, but also because of the hazards to children now in existence along Northern Boulevard, because it is a heavily trafficked thoroughfare; and

WHEREAS, the applicant further states that the proposed building will occupy 44% of the site, the amount of coverage allowed being 70% of 3,216 square feet, equal to 2,251 square feet, and 30% of 34,796 square feet equalling 10,439 square feet, or a total of 12,690 square feet, which is 4,010 square

MINUTES

feet less than the proposed size; that however, if the entire plot were located in the D area district, the permitted coverage would be 70% of 3,216 square feet, equalling 2,251 square feet, and 55% of 34,796 square feet, equalling 19,138 square feet, or a total of 21,389 square feet, which is 4,689 square feet more than the proposed size; that the building is long and narrow for the function it must serve; that the setbacks along its front are necessary not only by law, but also to permit sufficient landscaping of area to enhance its esthetic appearance, which is a necessity for the type of business it is proposed to conduct; that if the building is further narrowed by setting back a minimum of fifteen feet along its rear lot line, it would in effect make the building so narrow that it would be impossible to provide the proper size facilities which must be a part of the building in order to function as proposed; and

WHEREAS, the applicant contends that the owner has several times attempted to purchase property surrounding the affected plot in order to provide additional yard space to conform to the yard restrictions of the Zoning Law, but has been unsuccessful even though generous offers were made; that reducing the size of the proposed building would make it economically unsound for the owner to build, thus creating a severe hardship on him; and

WHEREAS, the applicant states that the present owner has held title to the property since December 16, 1957 and that the assessed valuation of land is \$4,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and the committee is of the opinion that the premises are not of sufficient area for the purpose and necessary parking of cars which would require an area greater than proposed and the committee recommends that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision c of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 4304-57, Objections No. 1, 2 and 3 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

268-58-BZ

APPLICANT—James E. Vassalotti, for Aufrichtig Brothers Dairy Products, owner.

SUBJECT—Application April 28, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a retail use, C area district, the erection of a one story extension to an existing two story building to enlarge the permitted area coverage and does not provide the required rear yard.

PREMISES AFFECTED—315 Brighton Beach Avenue (311A displayed), north side 60 feet west of Brighton 4th Street, Block 7284, Lot 1198, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958, after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Brighton Beach Avenue

are in a retail use, C area, class 1 height district; Brighton 3rd Street and Brighton 4th Street are in retail and residence use, C area, class 1 height districts; that as of April 25, 1916 the premises were in a business use district and received the present retail use designation on June 22, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated April 9, 1958 acting on Alt. Applic. No. 952-58, reads:

"1. The proposed extension to the existing building on the first floor to cover 100% the area of the lot is contrary to Art. IV Sect. 13c of the Zoning Resolution.

2. The omission of a rear yard on a plot located in a "C" area district and in a "Retail" use district is contrary to Art. IV Sect. 17b of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 20 feet frontage by 100 feet in depth, presently developed with a two story building of class 3 construction, having a frontage of 20 feet and a depth of 84 feet 6 inches, and now occupied as follows: cellar—storage; first floor—store; second floor—one family; that it is proposed to erect a one story extension 15 feet 6 inches by 20 feet, of class 3 construction, to cover the entire open area at the rear of the present building; that the present store is now being operated as a small supermarket and the additional space is now required in order to meet present day competition; and

WHEREAS, the applicant states that the building was erected under N.B. Applic. No. 12327-21 for use as a store and two family; that the building was later altered under Report No. 889-23 and the use given as follows: cellar—storage; first floor—store and one family; second floor—corset showroom and one family; that the building was further altered under Alt. Applic. No. 3314-38 and the use given as two stores and one family, for which use Certificate of Occupancy No. 87704 was issued; that the last alteration on record was Alt. Applic. No. 3946-47, under which application the present one story extension 22 feet 10 inches in length was erected; that the work was accepted as satisfactory by the Department of Buildings on February 8, 1950; and

WHEREAS, the applicant contends that the omission of the rear yard cannot affect the adjoining properties inasmuch as the building on lot 1201 now extends to the rear lot lines, the buildings on lots 1200 and 1196 now extend to within five feet of the rear lot line and the shed on adjoining lot 1199 now extends to within three feet of the rear lot line; and

WHEREAS, the applicant states that the present owner has held title to the property since March 7, 1940; that the assessed valuation of land is \$10,000 and of the building \$8,000 making a total of \$18,000; that the building was erected in 1921; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions, one of which is as to reduction in depth of the extension so as to leave not less than five feet open to the rear lot line; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21, substantially as proposed and indicated on plans filed with this application, marked "Received April 28, 1958", 5 sheets, *on condition* that the proposed extension shall not extend nearer than five feet to the rear lot line; that there shall be no windows in the rear wall; that suitable fencing shall be constructed on the rear lot lines; that such extension shall be solely for the use of the tenant on the first floor of the building; as proposed; and that in all other respects

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the extension shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

312-58-BZ

APPLICANT—Abraham Grossman, for Mary Geogas, Executrix for Estate of Thomas Geogas, owner; Michael Lifson, lessee.

SUBJECT—Application May 19, 1958—decision of the Borough Superintendent, under section 7A of the Zoning Resolution to permit in a business use district, in an existing five (5) story and cellar structure, the relocation of the illuminating sign, an increase in the size of the show windows and a wall sign for use by the store that occupies the ground floor, the show windows and sign are within 75 feet of a residence use district.

PREMISES AFFECTED—466 West 23rd Street, south side, 46 feet east of 10th Avenue, Block 720, Lot 80, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman and Michael A. Lifson.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Tenth Avenue are in a business use, B area, class 2 height district; West 22nd Street and West 23rd Street are in business, residence and retail use, B area, class 2 height districts; Ninth Avenue is in a retail use, B area, class 2 height district; that this property was originally zoned as an unrestricted use district until November 13, 1936 when the use district was changed to business; that the height and area designations have not changed; and

WHEREAS, the decision of the Borough Superintendent, dated May 9, 1958 acting on Alt. Applic. No. 529-58, reads:

"A1. Proposed enlarging of show window and proposed installation of signs as noted on plan in a business use district that is located within 75' of a residential use district is contrary to Sec. 7A of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 22 feet frontage by 98 feet 9 inches in depth, that the building was erected as a private dwelling, later used as a store and class B furnished rooms; that the existing store has been used as such for at least thirty years; that it is proposed to occupy the basement store in No. 466 West 23rd Street, and in order to occupy this store, it is necessary to increase the size of the display window and to relocate the present illuminated sign from No. 464 to No. 466 West 23rd Street; that it is also necessary to erect a wall sign over the display window; that all signs will comply with all requirements of the Zoning Resolution; and

WHEREAS, the applicant contends that an inspection of the neighborhood discloses the commercial character of the south side of West 23rd Street; that the site is 46 feet from Tenth Avenue, which is a commercial avenue, whereas the site is surrounded by stores—No. 464 is the location of the liquor store; No. 468—restaurant and bar, and No. 470—restaurant; that the neighborhood contains run down furnished room houses; that the enlarging of the display window with the construction of a modern store front will

enhance the neighborhood; that the building to the east of No. 466, known as No. 464, is completely within the business use district and the building east of No. 464, and adjacent thereto, known as No. 462, is partially within the business use district; and

WHEREAS, the applicant states that the present owner has held title to the property since April 5, 1944; that the assessed valuation of land is \$22,000 and of the building \$9,000 making a total of \$31,000; that the building was erected in approximately 1880; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommends to permit the removal of the existing approved illuminated sign on the building at 464 West 23rd Street, Lot 79, to a similar position on the front of the building as proposed on Lot 80; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision A of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7A paragraph d to permit the removal of the existing sign on the present building on Lot 79 to the position on Lot 80 as proposed and indicated on plans filed with this application marked, "Received May 19, 1958," 6 sheets and "October 22, 1958," 1 sheet, *on condition* that in all other respects the signs, building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a sign flat against the wall over the show window may be permitted as indicated on plans above cited; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

343-58-BZ

APPLICANT—Ingram S. Carner, for Eliot Motors, owner.

SUBJECT—Application May 27, 1958, decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, office, sale of accessories, car wash—non-automatic, minor automobile repairs with hand tools only, lubritorium, storage and parking of more than five (5) motor vehicles waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—1301 Jerome Avenue, and 1 Clarke Place, northwest of corner, Block 2856, Lot 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Ingram S. Carner.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Burdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 5, 1958 after due notice by publication in the Bulletin; and laid over to November 12, 1958, for continued hearing after applicant has filed revised plans; then to December 9, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Jerome Avenue are in a business use, B area, class 1½ height district; West Clarke Place and West 170th Street are in business and unrestricted use, B area, class 1½ height districts; Inwood Avenue is in an unrestricted use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 5, 1958 acting on N.B. Applic. No. 385-58, reads:

"1. The proposed gasoline service station, lubritorium, car washing, non-automatic, auto repairs, hand tools

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only, office, sales & storage of auto accessories & parking of more than five motor vehicles awaiting service in a business zone is contrary to Article II Sec. 4 of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 163 feet frontage by 64.5 feet in depth, irregular, now used for the free parking lot for adjacent market; that it is proposed to erect and maintain for a stated period of fifteen years, a modern gasoline service station, office, sales of auto accessories, non-automatic car washing, minor automobile repairs with hand tools only, lubricatorium, storage and parking and storage of more than five motor vehicles waiting to be serviced, all in accordance with plans of proposed conditions filed herewith and subject to such conditions, limitations and safeguards as the Board may deem appropriate; and

WHEREAS, the applicant states that there is an economic demand for the development of the subject premises as proposed, as the property is located along Jerome Avenue which is a wide and heavily trafficked automobile thoroughfare; that the premises could be developed substantially as proposed so as to yield a fair return on the owner's investment, and a major oil company has entered into a purchase and/or lease agreement of the premises, conditioned on its development as proposed; that the proposed use would not alter the essential character of the neighborhood as the premises is situated in a business use district and backs up to an unrestricted use district; that a grant of the instant application, subject to the numerous conditions and safeguards customarily imposed by the Board, will safeguard adjoining properties to a far greater extent than if the property were to be developed with a conforming use such as manufacturing, warehouse, bar and grill, drive-in refreshment stand, etc., in the business use district; that all the foregoing could be established without a variance and without the customary safeguards for the protection of adjoining property owners; that the proposed buildings, being set back more than 23 feet from Jerome Avenue building line, will insure greater traffic safety by giving clear visibility to traffic at the intersection, where as a conforming use structure could theoretically be built flush to the building lines at the corner, partially obscuring the intersection and thereby endangering traffic; that the proposed gas station would not create any additional traffic but would be supported by the heavy automobile traffic which now exists and therefore would neither create nor add to traffic or parking congestion in the area; that the use of a gas station necessarily requires the crossing of the sidewalk by automobiles in order to reach the service area; that the proposed use, however, would have no greater effect upon the safety of pedestrians using the crosswalk in front of the premises than now exists, or if the property were to be devoted to any number of conforming uses which would be unconditionally established and which would likewise involve vehicles crossing the sidewalk, and which involve precisely the same, or even greater inconvenience to the neighborhood; and

WHEREAS, the applicant contends that the proposed uses of the premises would provide more light and ventilation to adjoining properties than if the premises were to be developed with a conforming use, as the proposed building is limited to one story, 14 feet in height and 1706 square feet in area; that a conforming use structure could theoretically be erected to occupy the entire area of the lot—one story in height—approximately 10,000 square feet, whereas the proposed building will occupy only approximately 17% of the total area of the plot, leaving a total unbuilt upon area of approximately 83% of the plot; that a conforming use structure could theoretically be erected to a height of 125 feet along the Jerome Avenue Building line, where as the proposed structure is limited to only one story, 14 feet in height; that a grant of this application would do substantial justice in that it would permit the property to be developed for the only beneficial manner for which there exists an economic demand, without adversely affecting anyone and without altering the essential character of the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since March 1, 1944 and that the assessed valuation of land is \$25,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions f, i and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7 f, for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto, substantially as proposed and indicated on plans filed with this application, marked "Received May 27, 1958", 5 sheets, and "November 10, 1958", 2 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the site shall be graded substantially to the grade of Jerome Avenue, and constructed and arranged as indicated on such plans; that the accessory building shall be of the design and arrangement shown; that there shall be no cellar; that in all other respects the building shall comply with the requirements of the Building Code; that it shall be faced with face brick on all sides; that from the accessory building along the rear lot line to Clarke Place there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches; that curb cuts shall be restricted to one to Clarke Place not over 30 feet in width and four to Jerome Avenue of the size as shown; that no portion of any curb cut shall be nearer than 5 feet to a lot line as prolonged; that pumps shall be of a low approved type, erected not nearer than 15 feet to the street building line, as indicated on revised plan marked "Received November 10, 1958"; that the number of gasoline storage tanks shall not exceed twelve 550 gallon tanks; that the plot where not occupied by accessory building and pumps shall be paved with concrete or asphalt; that the wall of the adjoining building shall be faced or stuccoed, with that owner's permission, so as to eliminate all signs thereon; that signs shall be limited to a permanent sign attached to the facade of the accessory building, facing Jerome Avenue and the illuminated globes of the pumps, excluding all roof and temporary signs and advertising devices, but permitting the erection of a post standard within the intersection of Clark Place and Jerome Avenue for supporting a fixed sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend not more than 4 feet beyond the building line; that under Section 7i for a similar term there may be minor repairs with hand tools only for adjustments maintained solely within the accessory building; that under Section 7h for a similar term there may be parking and storage of more than five motor vehicles awaiting service, provided such parking is maintained where it will not interfere with the servicing of the station; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

367-58-BZ

APPLICANT—Henry Nordheim, for Michal Paniewski, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use district, the continuance of a recently erected one family dwelling without the required accessory parking space.

PREMISES AFFECTED—1548 Dwight Place, east side, 200 feet east of Ampere Avenue, Block 5411, Lot 279, Borough of The Bronx.

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APPEARANCES—

For Applicant: Joseph O'Mara and M. Paniewski.
For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Dwight Place, Ampere Avenue, Griswald Avenue and Robertson Place are in a residence use, E-1 area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 5, 1958 acting on amendment to N.B. Applic. No. 660-55, reads:

"1. Show facility for parking of one car on premises in accordance with Sec. 19-B(d)(2) of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100 feet in depth; that the site in question is one of but four lots that were laid out at a 25 foot frontage of the total of 14 plots that are 37 to 50 feet in this entire block front, and from all appearances no one wanted such a narrow plot until this owner purchased it on March 28, 1955; that the surface was and still is over eight feet below the filed grade of 19.02 at curb; and

WHEREAS, the applicant states that on April 13, 1955 the owner had plans filed for a one story frame dwelling 18 by 35 feet and 11 feet high, four rooms and bath; that in order to construct this building it was necessary to erect foundations four feet in the ground, plus nine feet, a total of 13 feet, in order that the first floor level might be at least four inches above the filled grade; that the owner personally constructed the foundation walls and all the frame walls and general carpentry—in fact, all work except the plumbing; that in reading the plan he assumed the house must be 28 feet back of the curb, and being short of funds he did not get a survey, and therefore his front yard is of insufficient depth to park a car between the building line and the front wall of his building; that he also assumed that he was not making any mistake for the reason that the two adjoining residences on either side of his building are on the same line with his; and

WHEREAS, the applicant states that the present owner has held title to the property since March 28, 1955; that the assessed valuation of land is \$400 and of the building \$6,600 making a total of \$7,000; that the building was erected in 1956; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, it appears that the dwelling was erected under plans approved under N.B. Applic. 660/55 on the statement that the premises were at that time within an E zone; and

WHEREAS, the record indicates that the premises were actually changed in 1953 to an E-1 zone but the Department may not have been so informed; and

WHEREAS, the requirement of the Zoning Resolution is for a garage or parking facility for a dwelling under Section 19B which was adopted in March 1954.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is granted under section 19 subdivision d to permit the omission of the one car parking requirement on condition that the building in all other respects complies with all laws, rules and regulations applicable thereto and

as approved when constructed under N.B. Applic. 660/55; that this action is taken by the Board as permitted under Section 19d; that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within six months from the date of this resolution.

380-58-BZ

APPLICANT—Robert Gottlieb, for Jacob Zeisler, owner.
SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and local retail use district, the use of the local retail in conjunction with the business portion for a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—720 Astor Avenue, south west corner of Cruger Avenue, Block 4343, Lot 36, Borough of The Bronx.

APPEARANCES—

For Applicant: Benjamin Zlochowier.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Astor Avenue are in business and local retail use, C area, class 1¼ height district; White Plains Road is in a business use, C area, class 1¼ height district; Cruger Avenue is in local retail and residence use, C area, class 1¼ height districts; Pelham Parkway is in residence use, C area, class 1¼ height districts; that the plot is located primarily in a local retail use zone, with a very small portion—northwest—in the business zone; that the entire plot had been business until changed to local retail in May, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated May 26, 1958 acting on Alt. Applic. No. 414-58, reads:

"1. Parking and storage for more than 5 motor vehicles partly in a local retail use district is contrary to Art. II Sect. 4-c of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 75 feet frontage by 100 feet in depth, presently vacant; that it is proposed to level off the plot, fence it in and operate it as a parking lot on an assigned space basis, with monthly rentals; and

WHEREAS, the applicant states that the plot adjoins a gas station to the west and two new six-story apartment houses to the south; that both houses have off street parking facilities, but not enough to take care of all cars; that also, one block to the east, on Holland Avenue, are five large six-story apartment houses, all without off street parking; that the present and the newly erected stores on Astor Avenue and the proximity of a large shopping center on White Plains Road in Block 4343, Lot 5, provide sufficient stores for the immediate population, so that the owners do not contemplate erection of stores on this property; that the owner hopes to obtain some revenue from this expensive plot and also to fill a need for off street parking in the neighborhood; and

WHEREAS, the applicant contends that the proposed parking lot would not adversely affect any of the properties in the vicinity and would help fill an urgent need for off street parking; and

WHEREAS, the applicant states that the present owner has held title to the property since January 15, 1957 and that the assessed valuation of land is \$15,000; and

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WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the plot to be occupied for the parking and storage of motor vehicles of the pleasure car type only substantially as proposed and indicated on plans filed with this application marked "Received June 17, 1958," 3 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the plot shall be leveled substantially to the grade of Astor Avenue and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on all lot lines where walls of adjoining buildings do not occur or where existing woven wire fences or fence walls do not occur on the lot line, a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches with no openings therein except one to Astor Avenue not over 12 feet in width with a curb cut opposite of similar width; that such opening in the fence shall be equipped with a gate of similar material and kept closed and locked at all times when the parking lot is not in operation; that the spaces in the parking lot shall be assigned to car owners, who shall be furnished with a key to the lock in the gate; that signs shall be restricted to one sign attached to the fence advertising the storage use, rate charged and other information required by the Commissioner of Licenses; that such sign shall not exceed five square feet and shall be attached to the fence and shall not be illuminated nor extend beyond the building line; that such appliance for firefighting shall be maintained as the Fire Commissioner shall require; that during the term of variance the premises shall be occupied for no other use and no building shall be erected thereon; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

388-58-BZ

APPLICANT—Max Siegel Associates, for Unimer Realty Corp., owner.

SUBJECT—Application June 23, 1958—decision of the Borough Superintendent, under sections 7b, 7h, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use, C and D-1 area district, the erection of a one story extension to the existing building occupying more than the permitted area in a C area district and extending the use from the retail portion to the residence portion of the plot and accessory parking extending into the residence use portion with curb cuts within 75 feet of the residence use district.

PREMISES AFFECTED—3480-3488 Boston Road and 3370 Corsa Avenue, northeast corner, Block 4743, Lot No. 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-

ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Corsa Avenue and Eastchester Road are in retail and residence use, C and D-1

area, class 1 and class ½ height districts; Boston Road is in a retail use, C area, class 1 height district; Givan Avenue is in a residence use, D-1 area, class ½ height district; that the existing tax lot was originally zoned for business and residence use, C area, class 1 height; that the use, height and area were changed from time to time, as follows: from business and residence to retail and residence—January 25, 1957; from class 1 height to class 1 and class ½ height—August 26, 1954; from C area to C and DD area—August 26, 1954; from C and DD area to C and D-1 area—March 27, 1958; and

WHEREAS, the decision of the Borough Superintendent, dated June 20, 1958 acting on Alt. Applic. No. 520-58, reads:

"1. Proposed extension for commercial use located in the residence use district portion of lot is contrary to Sec. 3, Z.R.

2. Proposed extension exceeds building area permitted in C area portion of retail use portion of lot and is therefore contrary to Sec. 13(b) Z.R.

3. Proposed extension of motor vehicle parking accessory to commercial use from retail use into residence use portion of lot is contrary to Sec. 3, Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 100.01 feet frontage by 121.06 feet in depth, irregular, now developed with a one story, class 3 building occupied as a bank and offices with accessory parking in the retail use portion of the lot; that the existing building has a frontage of 90 feet on Boston Road and 75 feet on Corsa Avenue, irregular in shape, and with open spaces around the building; that it is proposed to extend the existing commercial building, in part, at the rear of the lot for additional offices for the existing tenant, and to use the open space of the entire lot at the rear for their off street parking facilities; that this parking will be limited to tenants, employees and patrons; and

WHEREAS, the applicant states that this building was erected in 1950 under N.B. Applic. No. 1477-50 and later extended in 1954 under Alt. Applic. No. 658-54; that upon completion of this alteration, Certificate of Occupancy No. 20845 was issued for the uses as now exist; that the subject premises is a single tax lot since the original Zoning Resolution and is now located in a retail and residence use district, the retail portion being in a C area, class 1 height district and the residence portion in a D-1 area, class ½ height district; and

WHEREAS, the applicant contends that the proposed extension is on a lot qualifying for a variance under the specific provisions of Section 7(b); that the additional building area requested is solely within the retail C area of the plot and is so located as not to affect anyone; that limiting the area to the strict letter of the law will serve no useful purpose and cause practical difficulties to the owner; that part of the area of the proposed extension within the residence D-1 area conforms to the strict letter of the Zoning Resolution; that permitting additional accessory parking will tend to benefit the surrounding neighborhood by relieving the street parking and at the same time permit a practical use of a lot for a much needed and recognized accessory off street facility, common to all use districts; that a grant of this application will permit the owner to make a logical and beneficial use of its property, without in any way being detrimental to or adversely affecting the character of the existing neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since 1948; that the assessed valuation of land is \$35,000 and of the building \$65,000 making a total of \$100,000; that the building was erected in 1950; and

WHEREAS, the premises and surrounding area where inspected by a committee of the Board which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions b, h and A of the Zoning Resolution, as to use, and that the applicant had substantiated a basis to

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warrant exercise of discretion to grant under Sections 21, and is therefore entitled to relief, on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulation of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of twenty years, to permit the construction of the proposed parking lot, as indicated on plans filed with this application, marked "Received June 23, 1958", 5 sheets, *on condition* that such portion of the premises shall be graded substantially to the level of Corsa Avenue and paved with concrete; that there shall be erected on the building line a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches and a similar fence shall be erected along the rear line for the full depth of 100 feet, as shown; that there may be an opening in the fence to Corsa Avenue, which shall be fitted with gates and which shall be closed when the Bank is not in operation; that opposite such opening there may be a curb cut not more than 15 feet in width; that the sidewalks and curbing abutting Corsa Avenue shall be constructed or repaired to the satisfaction of the Borough President; that under Section 21 as to area and Section 7b as to extension of building, there may be an extension of the building behind such parking lot, as shown, complying in all respects with the Building Code and any excavation that may be necessary in connection with the construction of such building shall have its material which has been removed therefrom placed on the adjoining lot under the approval of the Department of Real Estate of the City of New York; and that in all other respects the building, occupancy and use shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

391-58-BZ

APPLICANT—Lama, Proskauer & Prober, for Ann Syracuse, owner.

SUBJECT—Application June 25, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution, to permit in a retail and residence use district, the extension into the residence portion of the plot of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1312-1318 Taylor Avenue, east side, 97.27 feet north of Westchester Avenue, Block 3878, Lots 12, 13, 14, and 15, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Taylor Avenue and Theriot Avenue are in retail and residence use, D area, class 1 height districts; Westchester Avenue is in a retail use, D area, class 1 height district; McGraw Avenue is in a residence use, D area, class 1 height district; that part of the premises within 100 feet of Westchester Avenue is in a retail use district and the balance of the premises is in a residence use district; that as of July 25, 1916 that part of the premises within 100 feet of Westchester Avenue was in a business use district and the entire premises were in a class B area district and a class 1¼ height district; that the present area designation,

height designation and use designation for that part of the premises within 100 feet of Westchester Avenue became effective April 26, 1943; and

WHEREAS, the decision of the Borough Superintendent, dated June 18, 1958 acting on Alt. Applic. No. 342-58, reads:

"1. Proposed use of parking & storage of more than five motor vehicles partly in a residence use district is contrary to Art. II Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 95 feet in depth, presently vacant; that it is proposed to extend the permitted use of parking and storage of more than five motor vehicles, for a temporary period of five years, from the retail use district portion of the plot into the residence use district portion of the plot; and

WHEREAS, the applicant contends that the extension of the said permitted use of parking and storage of more than five motor vehicles into the residence use portion of the plot is for a temporary period of five years only and will not affect any of the adjoining property owners any more than the two non-conforming garages on lots 17 and 18 in the same block; that the land is high in assessed value, so that it is mandatory for the owner to put this land to some use that will give him an equitable return on his investment and help him to pay the high City taxes; that the property in question was lost to the City for tax reasons, which proves conclusively that this property cannot be used for a conforming use at this time; and

WHEREAS, the applicant states that the present owner has held title to the property since June 3, 1957 and that the assessed valuation of land is \$11,600; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the proposed parking use in the retail and residence zone substantially as proposed and indicated on plans filed with this application marked, "Received June 25, 1958," 4 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Taylor Avenue and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches with no openings therein except two to Taylor Avenue for entrance and exit, each not over 15 feet in width with curb cut opposite of similar width; that such fence may be omitted where masonry walls of adjoining buildings or retaining walls above the height of the fence herein required exist; that the sidewalk and curbing in front of the premises shall be constructed or restored to the satisfaction of the Borough President; that the openings for exit and entrance shall be fitted with gates of similar construction as the fence and which will normally be kept closed when the parking lot is not in operation; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that during the term of this variance no other use and no building shall be erected thereon; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

423-58-BZ

APPLICANT—Leonard F. Rothkrug, for Brooklyn Physicians and Surgeons Telephone Service, Inc., owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit on a plot partly in a business and partly in a residence use district, the change in use from multi-

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ple dwelling for four (4) families to a telephone answering service on the basement story and multiple dwelling for three (3) families, for a term of ten (10) years.

PREMISES AFFECTED—483 Clinton Avenue, east side, 92.08 feet north of Fulton Street, Block 1977, Lot 5, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 18, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Clinton Avenue and Gates Avenue are in business and residence use, B area, class 1½ height districts; Fulton Street and Waverly Avenue are in a business use, B area, class 1½ height district; that there has been no change in zoning since July 25, 1916 and no change is pending at the City Planning Commission; and

WHEREAS, the decision of the Borough Superintendent, dated June 17, 1958 acting on Alt. Applic. No. 3526-57, reads:

"3. Proposed business use in basement is contrary to Article 2 Section 3 of the Zoning Resolution in that building is partly in business and residence use."

and

WHEREAS, the applicant states that the premises consist of a plot, 20 feet frontage by 120 feet in depth, on which is located a basement and three story building, 46 feet in height, 20 feet by 58 feet, 2 inches in area, erected under N.B. Applic. No. 212-1883 as a one family dwelling, and altered under Alt. Applic. No. 5100-41 and occupied in accordance with Certificate of Occupancy No. 10466, issued March 5, 1942, as a class A converted dwelling for four families; that it is proposed to occupy the basement story only, as a telephone answering service office, and maintain the upper three stories as a multiple dwelling for three families; and

WHEREAS, the applicant states that the owner presently operates a telephone answering service on the basement story; that the business use is limited to several switchboard operators; that no external alteration of the building is necessary or proposed in this application; and

WHEREAS, the applicant contends that the proposed use is in the nature of a conforming professional office use in a residence use district; that the telephone answering service is a necessary accessory use to the professional office uses permitted in a residence district; that the owner provides the service principally to doctors, dentists and similar professionals; that if the service was located within each physician's office, it would be a permitted use; and

WHEREAS, the applicant further contends that the use is a permitted use in the business use district portion of the premises; that the location of a telephone answering service office is limited by the facilities of the telephone company; that because the area served is customarily a residential area, the location of the answering service must be in the residence zone; that a grant of the variance will not adversely affect any surrounding property owners; that the office is conducted without any show windows or other evidence of a business office; that there are no visitors or customers and all business is conducted by telephone; and

WHEREAS, the applicant states that the present owner has held title to the property since July 28, 1948; that the assessed valuation of land is \$5,200 and of the building \$14,800 making a total of \$20,000; that the building was erected prior to 1883; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee

recommends that the use of the basement as a telephone exchange should be permitted for a term of years; and

WHEREAS, the building is partly in a business use district and partly in a residence use district; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7 e for a term of ten years, to permit the basement of the existing multiple dwelling to be occupied as a telephone answering service as proposed and indicated on plans filed with this application marked, "Received July 15, 1958," 4 sheets; that the multiple dwelling occupy above the basement shall be maintained in accordance with the requirements thereof; and that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

446-58-BZ

APPLICANT—Nathan Lubroth, for Albert I. Cohan, owner. John Farmakides, lessee, doing business as; J. and J. Co.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit the change in classification of a storage building to a garage and repairs of more than five (5) motor vehicles.

PREMISES AFFECTED—37-08 24th Street, west side, 52.12 feet, south of 37th Avenue, Block 366, Lot 32, Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Nathan Lubroth.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a business use, B area, Class 1¼ height district; 37th Avenue and 24th Street are in business and unrestricted use, B area, class 1¼ height districts; 23rd Street and 38th Avenue are in unrestricted use, B area, class 1¼ height district; that the entire area within the 500 foot radius was designated as an unrestricted use, B area and 1½ height zone in 1916; that on July 28, 1924 approximately 40% use was changed to business and manufacturing, the balance remaining as unrestricted; that the entire block on which the premises in question is located still remains unrestricted, except for the 100 foot by 100 foot southeast corner, including the premises in question; and

WHEREAS, the decision of the Borough Superintendent, dated June 23, 1958 acting on Alt. Applic. No. 1135-58, reads:

"1. Proposed change in use from storage to garage for more than 5 cars and repairs of motor vehicles of a building located in a business use district is contrary to Art. 2, Sec. 4(a), items 15 and 29 of the Z.R." and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 92 feet 8 inches in depth, on which is located a one story masonry building of the same size, of class 3 construction, erected under N.B. Applic. No. 8420-27, for which Certificate of Occupancy No. 34675 was issued on January 25, 1928 as storage; and

WHEREAS, the applicant states that on October 17, 1927,

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before the Certificate of Occupancy was issued, Fire Department Plan No. 2524/27 was approved and permit issued for the installation of a 550 gallon gasoline storage tank and gasoline pump to Burkes Tank Service, Inc., owners up to 1954, to be used as private storage and repair of five oil trucks; that the last Fire Department Permit expired January 5, 1954 when premises was sold to present owner; and

WHEREAS, the applicant contends that there is a truck body repair shop located in the business area directly across 24th Street, previously granted by the Board under Cal. No. 187-56-BZ; that when the present owner took title, he relied on the existing physical occupancy and Fire Department permits and assumed it constituted a motor vehicle repair shop and operated it as such; that however, he had no use for the gasoline pump and storage tank and therefore sealed same on February 28, 1957; that a motor vehicle repair shop has actually been operating since 1927 and has been kept in clean and orderly fashion without inconvenience to the neighborhood; that the granting of this appeal will in no way adversely affect the surrounding properties; and

WHEREAS, the applicant states that the present owner has held title to the property since October 26, 1954; that the assessed valuation of land is \$3,700 and of the building \$12,300 making a total of \$16,000; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of five years, to permit the premises to be occupied for motor vehicle repairing substantially as proposed and indicated on plans filed with this application marked, "Received July 23, 1958," 4 sheets, *on condition* that the building shall not be increased in height or area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the existing curb cut, 12 feet in width to 24th Street, may be continued; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the work shall be generally with hand tools and light-hand machine tools with restriction against repairing of heavy motor vehicle such as collision work and fender work; and that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

555-58-BZ

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.
SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a class 2 height district, the erection of a forty-one story building with the dormer structure greater than that permitted.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets, 101-129 West 51st Street and 100-126 West 52nd Street, Block 1004, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: William G. Graham, H. M. Cole, Albert Kennerley, Robert Cutler and G. Robert Spatafara.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in retail and business-1 use, B area, class 2 height district; West 51st Street and West 52nd Street is in retail, retail-1 and business-1 use, B area, class 2 height districts; 7th Avenue is in a retail-1 use, B area, class 2 height district; Avenue of the Americas is in a retail use, B area, class 2 height district; that the zoning on July 25, 1916 for the site in question was business use, two times height and B area; that on June 12, 1931 the business use zoning was changed to retail on Avenue of the Americas to a point 100 feet west on West 51st Street and West 52nd Street; that on November 30, 1940 the business use zoning for this site was changed to business-1; and

WHEREAS, the decision of the Borough Superintendent, dated September 11, 1958 acting on N.B. Applic. No. 52-58, reads:

"1. Envelope of building (dormer) exceeds use permitted by Art. III Para. 9(c) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet 10 inches frontage by 500 feet in depth; that it is proposed to continue the permitted dormer to the western extremity of the building in order to integrate the architectural shape and form of the building on both the West 51st Street and West 52nd Street facades; and

WHEREAS, the applicant states that the building in question is a 41 story building of class 1 fireproof construction, with an area of 62,222 square feet at the street level and a tower of 24,471 square feet, situated at the easterly end of the site; that it is a one tenant building, owned and occupied throughout as a Home Office building for the Equitable Life Assurance Society of the United States, except for a bank in part of the street floor; that the occupants of all upper floors will be employees of the company; and

WHEREAS, the applicant requests that the Board permit the additional dormer volume indicated on diagram D—10,000 cubic feet facing West 51st Street and 10,000 cubic feet facing West 52nd Street; that diagram C indicates the additional volume which could be utilized if the maximum envelope were developed for the proposed building—2,843,000 cubic feet; that the additional dormer volume requested is less than one percent of the additional building volume which can be built under the Zoning Resolution; and

WHEREAS, the applicant contends that the proposed additional dormer would not be detrimental to the general welfare or public health and safety and it is therefore requested that the Board grant this appeal; and

WHEREAS, the applicant states that the present owner has held title to the property since April 13, 1955 and November 14, 1957 and that the assessed valuation of land is \$5,000,000; and

WHEREAS, it appears that the cubic contents of the building are materially below that as permitted; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 as to height and to permit the excess setback coverage as proposed and indicated on plans filed with application marked, "Received September 22, 1958," 14 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified this day under Calendar No. 556-58-A; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

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556-58-A

APPLICANT—H. M. Cole, of Skidmore, Owings and Merrill, for Equitable Life Assurance Society of U. S., owner.

SUBJECT—Application filed September 22, 1958—decision of the Borough Superintendent—re escalators.

PREMISES AFFECTED—1281-1297 Avenue of the Americas, west side, from West 51st to West 52nd Streets; 101-129 West 51st Street and 100-126 West 52nd Street, cellar, 1st and 2nd floors, Block 1004, Lot 29, Borough of Manhattan.

APPEARANCES—

For Applicant: H. M. Cole.

For Opposition: None.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated September 9, 1958 on N.B. Applic. 52/58, reads:

“2—Escalator from cellar to 2nd floor should be enclosed in 3 hr. material and $\frac{3}{4}$ hr. F.P.S.C. doors. Sections C26-638.0 b.1(a) C26-663.0 d. A.C.”

and

WHEREAS, the applicant states that the premises consist of a lot 200 feet by 500 feet, located in retail and business 1 use, B area, class 2 height district, which at present is vacant; that the proposed use of this land is a 41 story building of class 1 construction, to be used and occupied as follows: Sub-cellar—mechanical equipment and storage, 50 persons; cellar—electrical equipment and storage, 240 persons; 1st floor—lobby, banks and loading, 400 persons; 2nd floor—employee's cafeteria and lounge, 2276 persons; 3rd floor—kitchen and office, 540 persons; 4 to 15th floors—offices, 540 persons each floor; 16th to 38th floors—offices, 210 persons each floor; 39th to 41st floors—mechanical equipment, 50 persons each floor; and

WHEREAS, the applicant proposes to install an escalator from cellar to 2nd floor, without a 3 hour enclosure; that the enclosure at cellar will be of 3 hours with $1\frac{1}{2}$ hour fireproof self-closing roll-up shuttle; that at the 1st floor the escalator opens upon street lobby and is protected at this floor by sprinkler curtain around entire opening with heads 4 feet on center maximum; that at the 2nd floor the escalator lands in an employee's lounge, separated from the remaining portion of the floor with 3 hour partitions and fireproof self closing doors except the two doors along east wall, which are metal and glass self-closing; that the 2nd floor opening is further protected with a sprinkler system whose heads are 4 feet on center; that the building is owned and will be occupied by Equitable Life Assurance Society of the United States, except for bank space on the 1st floor; that the main function of these escalators is to provide additional service during peak morning and afternoon periods when the elevators will be saturated with employee traffic to and from the adjacent subway concourse and other transportation facilities; that it is also intended that the escalators will facilitate the handling of employees using the employee's cafeteria on the 2nd floor during the lunch hour period; that it is expected by this means to reduce congestion in the main lobby of the building during these periods; that the building is provided with one fire tower, 4 feet 8 inches in width and five interior stairs, 3 feet 8 inches and 5 feet 6 inches wide, extending from the roof to the street; that it is equipped with an automatic fire alarm system with signals on all floors, and connected to a central office; that regular monthly fire drills will be held; that it is proposed to install pushbuttons and lighted indicators at the escalator locations which will ring gongs on the cellar, first and second floors, and actuate simultaneously the entire fire alarm system throughout the building; that

in view of the above, and the fact that the installation of the escalators as proposed, will not be detrimental to the general welfare, public health and safety, it is respectfully requested that the Board grant this appeal; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Borough Superintendent, dated September 9, 1958, acting on N.B. Applic. 52/58, Obj. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the installation of an escalator from cellar to second floor as proposed and indicated on plans filed with this appeal marked, “Received November 7, 1958,” 1 sheet, and “December 3, 1958,” 4 sheets, *on condition* that the construction and arrangement of the escalator shall be in accordance with the proposal in all respects; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations other than as granted under Calendar No. 555-56-BZ.

Adjourned: 5:00 P.M.

Joseph J. Doyle, *Chief Clerk*.

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 9, 1958, 2 P. M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

789-55-A—Vol. II

APPLICANT—Columbia Pictures Realty Corp., lessee, Prentice Development Corp. (formerly Frezard Corp.), owner.

SUBJECT—Application reopened November 5, 1958—Appeal from a decision of the Borough Superintendent, re editing and storage of films, removal of Sprinkler System.

PREMISES AFFECTED—711 5th Avenue, northeast corner of East 55th Street, Block 1291, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Lawrence C. Gibbs and Garrison King.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated September 29, 1958, on amendment to Alt. Applic. 1660/57, reads:

“(3) Under B.S.&A. Cal. 789-55-A the sprinkler system was permitted to be removed on certain floors only because of editing and storage of films in the bldg. Reinstatement of film editing and storage and with the sprinkler system removed beyond that permitted by the Bd. of S.&A. requires that application be referred to the Bd. of S.&A.”

and

WHEREAS, the applicant states that the building is 16 stories, 220 feet in height, 120 feet 5 inches by 150 feet in area, class 1 construction, erected 1927, located in restricted retail use, B area, class $1\frac{1}{4}$ and class $1\frac{1}{2}$ height districts, and used and occupied since 1956 as follows: Cellar—stores and storage, 40 persons; 1st floor—stores, 720 persons; 2nd floor—offices, 120 persons; 3rd floor—offices, lunch room, editing and storage of film, 200 persons; 4th floor—offices, 120 persons; 5th floor—offices, 120 persons; 6th floor—offices, 100 persons; 7th to 16th floors—offices, 120 persons each; 17th floor—offices, 75 persons; 18th floor—offices, 75 persons; that it is proposed to be used and occupied without change except that the 3rd floor will be used for offices,

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lunchroom and editing and storage of safety film with an occupancy of 200 persons; that the 4th floor will be used for retail sales with accessory manufacturing and for the editing and storage of safety film with a total occupancy of 120 persons; that the 6th floor will be used for offices and projection room with an occupancy of 120 persons; that the 11th floor will be used for offices and projection room with an occupancy of 120 persons; that the 15th floor will be used for retail sales with accessory manufacturing with an occupancy of 120 persons; and

WHEREAS, Certificate of Occupancy #47470 issued June 4, 1957, against Alt. Applic. 1049/55, permitting the following use and occupancy; basement—stores and storage, 40 persons; ground floor—stores, 720 persons; 1st floor—offices, 120 persons; 2nd floor—offices, lunchroom, editing and storage of files, 200 persons; 3rd to 10th floors inclusive—offices, 120 persons each; 11th to 16th floors inclusive,—offices, 120 persons each; that this certificate contains a note that not more than 5 persons are to be employed at factory work on the 2nd story; that no factory work is permitted on any other stories of the building; and

WHEREAS, the applicant states that under Calendar Number 789-55-A, Volume I, the Board permitted the lessee to omit the sprinkler system on and below the 10th floor (now 11th floor) except for space on the 2nd floor (now 3rd floor) in which there is film storage and cutting of safety film; that the tenant complied with the conditions of the Board's resolution and certificate of occupancy was issued June 4, 1957; that subsequent thereto, the tenant dispensed with the editing and storage of films in this building, thus removing the building from the jurisdiction of the Board; that the sprinkler system was removed on the 15th, 16th and 17th floors of the building; that under Alt. Applic. 1660/57, application was made for re-instatement of the right to edit and store safety film on the 3rd and 4th floors, thus necessitating this appeal, for amendment of the Board's prior resolution; and

WHEREAS, the applicant therefore requests that the Board permit editing and storage of safety film on a portion of the 3rd and on the entire 4th floor, which portions of the building will be fully equipped with sprinklers and will have 3 hour fire walls, equipped with fireproof self-closing doors, separating it from the balance of the building; that these portions will be equipped with vapor proof electrical fixtures; and

WHEREAS, the applicant contends that all film to be stored or edited will be standard safety film which will not sustain flame; that during normal editing operation at no time will there be more than 1 reel of film exposed, approximating 400 to 500 lineal feet; that the balance of the film being edited will be kept in 30 gauge metal containers in separate storage rooms pending its removal for editing purposes; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 13, 1955 by adding thereto the requirement of an approved type sprinkler system on the entire fourth floor only and in that portion of the third floor used for storage and editing of motion picture film, and in all cooking areas on that floor; that the existing voluntary sprinkler system may be removed from all other floors; as passed on by the Borough Superintendent under Alt. App. 1660-57, Objection No. 3, dated September 29, 1958, as indicated on plans filed with this request for amendment marked "Received October 10, 1958", 2 sheets, *on condition* that the only film stored, used or edited shall be of the safety type; and that the sprinkler system, as proposed, shall be maintained to the satisfaction of the Fire Commissioner.

166-58-A

APPLICANT—Robert Teichman, for E and A Building Corp., owner; Fisher Scientific Co., lessee.

SUBJECT—Application March 19, 1958—Appeal from an order and a decision of the Fire Commissioner re pack-

aging of volatile and inflammable oils in Glass Bottles; capacity of bottles not in accordance with Administrative Code Requirements.

PREMISES AFFECTED—75-89 Morton Street, 633-635 Greenwich Street, northeast corner and 99-101 Barrow Street, Block 603, Lot 49, Borough of Manhattan.

APPEARANCES—

For Applicant: Robert Liechman.

For Administration: Lieut. J. Manfredi Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, from an order of the Fire Commissioner, dated January 9, 1958, reads:

"You are directed to comply with Sec. 19.53.0 of the Administrative Code as to the storage of all V.I.O. volatile inflammable oils on premises.

This Re: To P.3.2.

Glass bottles of a capacity not exceeding four ounces each labeled dangerous—keep from flame."

and

WHEREAS, the applicant states that the premises consist of a plot 175 feet 6 inches by 200 feet 3 inches irregular, located in a unrestricted use, A area, class 2 height district, upon which there exists a 7 story, 112 feet high, class 1 building, 172 feet by 200 feet 5¾ inches irregular, built in 1920, used and occupied since 1942: Cellar—boiler room and storage, 25 persons; 1st floor—store, factory, shipping and packing, 80 persons; 2nd floor—factory and storage, 25 persons; 3rd floor—factory and storage, 25 persons; 4th floor—factory, laboratory and glass blowing, 75 persons; 5th floor—factory and storage, 50 persons; 6th floor—factory and storage, 60 persons; 7th floor—factory and general offices, 250 persons; for which Certificate of Occupancy #29494 was issued against Alt. Applic. 1109/42; and

WHEREAS, the applicant states that the lessee, The Fisher Scientific Corporation, leases and occupies the greater portion of the fireproof sprinklered building for the conduct of their business, namely, wholesale drug and chemical supplies; that the building is adequately ventilated; that in the operation of their business, The Fisher Scientific Corporation receives, sells and transships various volatile oils, among which is "Hexane" having on hand as of March 10, 1958, approximately 67 gallons in glass containers, as follows: 17 Pints, 36 Quarts and 56 Gallons; that this chemical "Hexane" is bottled in pint and "up" sizes outside of New York City by large drug and chemical houses, and is shipped to The Fisher Scientific Corporation and others elsewhere, in stamped approved containers under Interstate Commerce Commission regulations; that this method of delivery is a universal and established custom in the trade; that all volatile oil upon sale is transshipped in the original containers; that it is not used in the further manufacture of any other chemical on the premises; that very little or any of this oil "Hexane" is carried in four (4) ounce glass containers, unless specifically ordered; that the flash point of this oil "Hexane" is minus 7° Fahrenheit in a closed cup test, with the boiling point 69° Fahrenheit; that the use of this oil "Hexane" in glass containers is requested by Doctors, Hospitals and Medical Institutions, and is important to the professions for testing and analytical purposes, also research work especially for blood tests, etc., and is sold universally in pint, quart and gallon sizes; that should this oil "Hexane" come in contact with metal, it becomes contaminated and can then only be used for detergent purposes; that this oil "Hexane" when delivered to the Fisher Scientific Corporation, is immediately stored in an approved Fire Department fireproof ventilated vault, located in the cellar of this building, and when sold, is delivered in the original

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containers as approved by the Interstate Commerce Commission; that appeal is therefore made to the Board for a variance of Section 19.53.0 Administrative Code, to permit the storage of this chemical "Hexane" in pint, quart and gallon glass containers in such quantity as the Board may approve; and

WHEREAS, this was laid over for applicant to file a sample of the bottle and packing, and such has been done.

Resolved, that the Order of the Fire Commissioner dated January 9, 1958, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the glass bottles, as proposed, in pints, quarts and gallons, as submitted, shall be of the Boston Round Type for packaging chemical hexane, as proposed and as permitted by the Fire Department, *on condition* that when the bottle closure cap is removed the contents of the bottle shall be entirely used and the cap not restored; and that the shipment of the bottles shall be in cartons of the type as submitted consisting of 200 lb., double thickness of ICC corrugated board.

229-58-A

APPLICANT—J. M. Berlinger, for Viro Realty Corp., owner.

SUBJECT—Application April 15, 1958—Appeal from a decision of the Borough Superintendent, re Class 3 construction—business use on 5th floor, tabular height of 50 feet exceeded.

PREMISES AFFECTED—53 East 54th Street, north side, 122 feet east of Madison Avenue, Block 1290, Lot 26, Borough of Manhattan.

APPEARANCES—

For Applicant: J. M. Berlinger.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated April 10, 1958, on Alt. Applic. 1648/57, reads:

"Objection C2 of 12/30/57, repeated:

C2—Proposed business use on 5th floor of class 3 building is contrary to 4.2.1 B.C. since the tabular height limits of 4 stories or 50 feet are exceeded."

and

WHEREAS, the applicant states that the premises consist of a lot 22 feet by 100 feet 5 inches, located in restricted retail use, B area, class 1½ height district, upon which there exists a 5 story, 55 feet high, class 3 building, 22 feet by 96 feet 6 inches at the 1st floor and 22 feet by 60 feet at all other floors, erected prior to 1877, used and occupied since 1939: Cellar—kitchen, boiler room and storage, 4 persons; 1st floor—restaurant, 75 persons; 2nd to 5th floors—class A apartments for which Certificate of Occupancy #24399 was issued against Alt. Applic. 1953-38; and

WHEREAS, the applicant proposes to change the present use; that the cellar and 1st floor—there are no changes; 2nd floor—office, 15 persons; 3rd floor—office, 15 persons; 4th floor—office, 10 persons; 5th floor—office, 10 persons; and

WHEREAS, the applicant states that the stairs have steel stringers and risers with marble treads and platforms; that the stair enclosure is of wood studs with cement plaster over metal lath and fireproof self-closing doors; that the stair and public hall have an approved sprinkler system; that all the ceilings have plaster on metal lath; and

WHEREAS, the applicant contends that the 5th floor contains less than 1000 square feet of 8276 square feet of total usable area of the building; that the volume above 50 feet height is only 3800 cubic feet of the total 102,936 cubic

feet in the entire building; that the occupancy will be 10 persons on the 5th floor; and

WHEREAS, the premises was inspected by a committee of the Board; and

Resolved, that the decision of the Borough Superintendent, dated April 10, 1958, acting on Alt. Applic. 1648/57, Obj. C2 be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit as proposed the use of the fifth floor in the existing building to be occupied for business in conjunction with the four stories below as permitted by the Borough Superintendent as shown on plans filed with this appeal marked, "Received April 15, 1958," 6 sheets, *on condition* that the building shall not be increased in height or area; in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

283-58-A—Vol. II

APPLICANT—Abraham Grossman, for Grenalt Co., Inc., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. II—Appeals from a decision of the Borough Superintendent, re provide legal hood and chimney.

PREMISES AFFECTED—79-83 Pine Street, 128-132 Water Street, southwest corner and 164-168 Pearl Street, 1st floor, Block 39, Lots 8, 9, 10 and 36, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated August 6, 1958 on B.N. Applic. 3760/57, reads:

"3—Provide legal hood and chimney for range as per 11.3.12 B.C."

and

WHEREAS, the applicant states that the building is 12 stories, 131 feet in height, 174 feet front by 63 feet in depth, class 1 construction, erected 1957, located in an unrestricted use, A area, class 2 and 2½ height district, and used and occupied: Cellar—garage for more than 5 cars for tenants' use and storage, 5 persons; 1st floor—stores, 50 persons; mezzanine—offices and mechanical equipment, 50 persons; 2nd floor—trading floor and offices, 180 persons; 3rd floor—offices, 60 persons; 4th to 12th floors—offices, 100 persons each; that no change in use or occupancy is proposed except that a restaurant use will be installed on the 1st floor with an occupancy of 75 person; and

WHEREAS, temporary Certificate of Occupancy #48958 was issued April 25, 1958 against N.B. Applic. 50/55, permitting the present use and occupancy for a period of 90 days from April 25, 1958; and

WHEREAS, Violation Number 1795 was issued by the Borough Superintendent, February 20, 1958, for having installed a luncheonette in the corner store and the cooking ranges for same, without obtaining a permit; and

WHEREAS, the applicant states that in addition to a fire tower and two fireproof stairs, the building is provided with an approved standpipe system and the garage and entrance thereto is protected with a sprinkler system; that a restaurant seating less than 75 persons was opened in the corner store with a small kitchen in the cellar; that plans filed indicated a horizontal duct running from the ventilating hood to the street line on the store ceiling; that the Department had accepted this method of ventilating the hood over the range in the past and under the present Building Code which was adopted in 1938, but however, the Department changed its policy and now interprets the Code to

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require that all ranges be provided with a masonry chimney terminating at the roof; and

WHEREAS, the applicant contends to be required to construct a chimney running vertically to the roof would be impossible as the building covers the entire plot and no provision was made for a flue or chimney to run vertically; that the building was erected and designed in accordance with the previous interpretation of the Department; that there is no other means than the means proposed to provide ventilation for the ranges in question; and

WHEREAS, the applicant states that the bottom edge of the proposed 14 inch by 60 inch louver exhaust from the duct will be located 18 feet above street level on the Water Street elevation; that there should be no complaints of kitchen odors from pedestrians and tenants of the building, as the building is completely air conditioned and there is no need to open the windows; and

WHEREAS, the applicant states that it is proposed to install approved greased filters over kitchen ranges, to install carbon filters where noted on plans, to provide a two position automatic valve steam smothering line in the duct attached to a tempering sensing element; that this new automatic valve will be connected to New York Steam Corporation supply line and will therefore always have a sufficient supply of live steam to extinguish any fire; that all ducts will be encased in two layers of one inch vermiculite plaster on wire lath; and

WHEREAS, the premises was inspected by a committee of the Board and the committee recommended that that appeal should be granted to permit the venting of the device through louvres in the front of the building, as shown; the louvres turned upwardly and with a protecting hood and drain.

Resolved, that the decision of the Borough Superintendent, dated August 6, 1958, acting on B.N. App. 3760-57, Objection No. 3 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the required grease filter shall be installed and that the ventilation for the range shall be as proposed, consisting of a duct to the exterior of the building through the front wall, as shown on plans filed with this appeal marked "Received August 8, 1958", 8 sheets, and "November 6, 1958", 4 sheets, and "December 2, 1958", one sheet; and that in all other respects the requirements shall be complied with as proposed.

414-31-A—Vol. II

APPLICANT—McDowell Sprinkler Corp., for Spear Box Company, Inc., owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Appeal from an order of the Fire Commissioner; previously granted on condition.

PREMISES AFFECTED—262-278 11th Avenue and 554-56 West 28th Street, southeast corner, Block 699, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: Frank J. Dent.

ACTION OF BOARD—Appeal reopened as Vol. II subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

938-55-A

APPLICANT—Morris Kweller, for C.H. & R. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening for restoration to docket—re Appeal from an order and decision of the Fire Commissioner; previously dismissed.

PREMISES AFFECTED—1733-1753 McDonald Avenue, east side, 245.6 feet south of Avenue O, Block 6608, Lot 77, Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Kweller.

ACTION OF BOARD—Appeal reopened and restored to docket.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

613-58-A

APPLICANT—The Frink Corporation, lessee, for Frinre, Inc., owner.

SUBJECT—Application October 23, 1958—Appeal from a decision of the Fire Commissioner re use of Ransburg 2, Electrostatic Spray Unit, not of approved type, in New York City.

PREMISES AFFECTED—217-283 63rd Street, northwest corner of 3rd Avenue, Block 5798, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Mervin Lewis and Kurt Reis.

ACTION OF BOARD—Laid over to December 16, 1958, at 2 P. M. for further consideration and decision; hearing closed.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Carr.

ACTION OF BOARD—Laid over to January 13, 1959, at 2 P. M. for applicant to file new proposal designed to cure the dangerous and objectionable features.

28-58-A

APPLICANT—Leonard F. Rothkrug, for Ginsberg Realty Corp., owner.

SUBJECT—Application January 28, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—1657-1663 Broadway, northwest corner of Schaeffer Street, Block 3420, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and G. I. Newblatt.

ACTION OF BOARD—Laid over to December 16, 1958, at 2 P.M., applicant to consult examiner and file revised plans as to partitions.

530-58-A

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Ohav Sholem Center of The Bronx, owner.

SUBJECT—Application September 9, 1958—Appeal from a decision of the Borough Superintendent—re Class Rooms and Rabbinical Office on the 2nd floor of a 3 story non-fireproof, Class 3 building.

Premises Affected—838 Gerard Avenue, east side, 236 feet, 5 inches south of East 161st Street, 2nd floor, Block 2474, Lot 32, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to December 16, 1958, at 2 P. M., for inspection and decision; hearing closed.

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19-26-BZ—Vol. V

APPLICANT—Leonard F. Rothkrug, for 1665 St. Marks Avenue Building Corporation, owner; Sany and Pollack, lessees.

SUBJECT—Application for consideration—reopening for extension of time to complete and obtain Certificate of Occupancy, which has expired November 19, 1958, re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7c and 21 of the Zoning Resolution, permitting in a business and residence use district, the change from use as a garage to a drug warehouse and the addition of a second story to the building exceeding area permitted, to be used for drug storage also truck loading space and storage.

PREMISES AFFECTED—1655-1665 St. Marks Avenue, north side, 133.67 feet west of Rockaway Avenue, Block 1454, Lots 54 and 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. V, on December 20, 1955, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on December 11, 1956 and November 19, 1957; and

WHEREAS, the resolution was amended on November 19, 1957; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 20, 1955, as thereafter *amended* by resolutions adopted through December 11, 1956 and November 19, 1957, only as to the time within which to obtain permits and complete the work, so that as amended this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 4535-53)

550-27-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, lessee; S. Lakin and M. L. Bennett, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non automatic), minor auto repair with hand tools only, parking and storage of motor vehicles awaiting service, for a stated term of fifteen (15) years.

PREMISES AFFECTED—2045 Williamsbridge Road and Lydig Avenue, southwest corner, Block 4306, Lot 5, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 1, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 1, 1957, by adding thereto:

“that there may be one additional pump island for three low type approved dispensing pumps in accordance with revised plans marked ‘Received December 1, 1958’, one sheet and as passed on by the Borough Superintendent under Misc. App. 515-58, disapproved November 24, 1958.”

302-36-BZ—Vol. III

APPLICANT—Dominick Salvati & Son, for John and Alex Cipriano, owners; Franklin Service Station, lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district the change in occupancy from public garage for more than five motor vehicles, to garage for more than five motor vehicles, car washing, lubrication, wheel alignment, motor vehicle repairs, body and fender work, painting and spraying, brake testing and the sale and display of new and used cars, for a term of ten years.

PREMISES AFFECTED—965-971 65th Street, north side, 100 feet west of 10th Avenue, Block 5743, Lot 67, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leon Komondorea.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. III, on March 24, 1953, on certain conditions; and

WHEREAS, the term of variance was extended on March 24, 1953; and

WHEREAS, the applicant requested an amendment of, the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 15, 1941, as thereafter *amended* by resolutions adopted through March 24, 1953, by adding thereto:

“that in the event the owner desires to install an additional masonry opening with two 1½ hour fire doors between the buildings, as shown on revised plans marked ‘Received November 12, 1958’, one sheet, as passed on by the Borough Superintendent, under B.N. 3291-57. Objection disapproved November 27, 1958, such change may be permitted provided that in all other respects the resolution above cited shall be complied with.

400-45-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, permitting in a residence use district, the alteration and conversion of an existing garage for more than five motor vehicles, to a garage for more than five motor vehicles and a gasoline service station.

PREMISES AFFECTED—122-17 to 122-19 Hillside Avenue, northwest corner of 123rd Street, Block 9268, Lot 27, Richmond Hill, Borough of Queens.

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APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on September 25, 1945, on certain conditions; and

WHEREAS, plans were approved by the Board July 23, 1946; and

WHEREAS, time to obtain permits and complete the work extended from time to time and last extended on April 11, 1950; and

WHEREAS, the resolution was amended on May 3, 1949 and April 11, 1950; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 25, 1945, as thereafter *amended* by resolutions adopted through April 11, 1950, by adding thereto:

“that there may be four additional 550 gallon approved gasoline storage tanks making a total of twelve such tanks, as shown on revised plans marked ‘Received November 26, 1958’, one sheet, as passed on by the Borough Superintendent under Misc. App. 994/58, objection disapproved October 23, 1958.”

475-45-BZ

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business use district, the reconstruction and extension in area of an existing gasoline service station.

PREMISES AFFECTED—75-03 to 75-17 Rockaway Boulevard and 91-02 76th Street, northwest corner, block 8948, Lots 32 and 38, Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0

Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 16, 1945, on certain conditions; and

WHEREAS, plans were approved on October 15, 1946; and

WHEREAS, time to obtain permits and complete the work was extended from time to time and last extended on January 9, 1951; and

WHEREAS, the resolution was amended from time to time and last amended on December 8, 1953; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the board of Standards and Appeals does hereby *amend* the resolution adopted on October 16, 1945, as thereafter *amended* by resolutions adopted through December 8, 1953, by adding thereto:

“that there may be four additional 550 gallon approved gasoline storage tanks making a total of twelve such tanks, and one additional low type gasoline dispensing pump on an existing pump island, as shown on plans filed with this application marked Received November

26, 1958, one sheet, as passed on by the Borough Superintendent under Misc. App. 993/58, objection disapproved October 23, 1958.”

74-35-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, lessee; Thaler Realty Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition under Section 7f of the Zoning Resolution, to permit in a business use district, the addition of a garage for more than five motor vehicles to an existing gasoline service station.

PREMISES AFFECTED—2475-2481 Flatbush Avenue, northeast corner of Avenue U, Block 8543, Lot 3, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II, on April 11, 1950, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on May 15, 1951; and

WHEREAS, the resolution was amended on May 15, 1951; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 18, 1935, as thereafter *amended* by resolutions adopted through May 15, 1951, by adding thereto:

“that there may be five 550 gallon approved gasoline storage tanks making a total of twelve such tanks; that there may also be one additional low type approved gasoline dispensing pump, as shown on revised plans marked ‘Received December 1, 1958’ one sheet, as passed on by the Borough Superintendent under Gas Tank App. 3546-56, disapproved October 31, 1958.”

290-35-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—re opening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7e, 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, auto washing (non-automatic) lubritorium, office, sale of auto accessories, minor repairs with hand tools only and parking of motor vehicles awaiting service.

PREMISES AFFECTED—489-497 Humboldt Street and 28-36 Herbert Street, southwest corner, Block 2830, Lots 13, 14, 15, 16 and 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0

Absent: Vice Chairman Keating..... 1

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THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on December 17, 1957, on certain conditions; and

WHEREAS, the resolution was amended on July 1, 1958; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, as amended by resolution adopted on July 1, 1958, by adding thereto:

"that signs shall be restricted to permanent signs attached to the facade of the accessory building facing Humboldt Street, and to the illuminated globes of the pumps, excluding all roof signs and temporary signs but permitting the erection within the intersection of one post standard for supporting a sign, which may be illuminated, advertising the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet." (E.S. 714/58)

39-37-BZ—Vol. IV

APPLICANT—Peggy Cooney, for Socony Mobil Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the the Borough Superintendent; previously granted on condition, under section 7c of the Zoning Resolution, to permit in a business use district, the extension in use of gasoline service station, brake testing station, and the parking and storage of more than five motor vehicles; to include area now used for the parking and storage of more than five motor vehicles, to be used as a gasoline service station, auto laundry, lubritorium, and brake testing, and to permit the installation of four additional gasoline storage tanks and four additional dispensing pumps.

PREMISES AFFECTED—619-641 Coney Island Avenue, east side, from Mathews Place to Slocum Place, 2-8 Mathews Place and 1-5 Slocum Place, Block 5141, Lots 53 and 74, Borough of Brooklyn.

APPEARANCES—

For Applicant: Peggy Cooney.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 30, 1951, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 15, 1937, under Vol. I, as thereafter amended by resolutions adopted through October 30, 1951, under Vol. IV, by adding thereto:

"that there may be seven additional approved 550 gallon gasoline storage tanks making a total of twelve such tanks, as shown on revised plans marked 'Received November 25, 1958', one sheet, as passed on by the Borough Superintendent under Misc. App. 2950/57, disapproved August 13, 1958."

1137-38-BZ

APPLICANT—Esso Standard Oil Company, lessee; Franklin M. White; owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the

Borough Superintendent; previously granted on condition, under section 21 of the Zoning Resolution, to permit in a business use district, the alteration and change of occupancy of a garage for more than five (5) motor vehicles to a motor vehicle repair shop, lubritorium, auto laundry and gasoline service station.

PREMISES AFFECTED—1060-1064 Bedford Avenue and 224-228 Clifton Place, southwest corner, Block 1954, Lots 22 and 24, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on February 21, 1939, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on February 21, 1939, by adding thereto:

"that there may be four additional 550 gallon approved gasoline storage tanks making a total of ten such tanks, and one additional low approved type dispensing pump, as shown on plans marked Received November 26, 1958, one sheet, as passed on by the Borough Superintendent under Misc. App. 3551-58, objection disapproved November 29, 1959."

1105-47-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, lessee; Point Motors, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district, for a term of years, the change in occupancy from sale and display of more than five motor vehicles—permitting the erection and maintenance of a gasoline service station, lubritorium, auto washing, storage and sale of accessories and office.

PREMISES AFFECTED—166-02 to 166-10 Northern Boulevard and 42-03 to 42-07 166th Street, southeast corner, Block 5397, Lot 14, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on May 20, 1952, on certain conditions; and

WHEREAS, working drawings submitted as being in substantial compliance with the Board's requirement were approved on July 8, 1952; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved; that the Board of Standards and Appeals does hereby *amend* the resolution adopted under Vol. One on May 10, 1949, as thereafter *amended* by resolutions adopted under Vol. II through July 8, 1952, by adding thereto:

"that there may be four additional 550 gallon approved gasoline storage tanks making a total of twelve such tanks, as shown on plans filed with this application

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marked Received November 26, 1958, one sheet, as passed on by the Borough Superintendent under Misc. App. 997/58, disapproved October 30, 1958."

895-49-BZ

APPLICANT—Esso Standard Oil Company, lessee; Alexander Stolow; owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station and lubritorium, for a term of fifteen (15) years.

PREMISES AFFECTED—5701-5707 Flatlands Avenue and 901-911 East 57th Street, northeast corner and 5702 Avenue I, Block 7783, Lot 43, Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 25, 1950, on certain conditions; and

WHEREAS, plans submitted as being in substantial compliance with the Board's requirements, were approved on July 25, 1950; and

WHEREAS, the resolution was amended on December 12, 1950; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 25, 1950, as thereafter *amended* by resolutions adopted through December 12, 1950, by adding thereto:

"that there may be two additional 550 gallon approved gasoline storage tanks making a total of ten such tanks, as shown on revised plans marked Received November 26, 1958, one sheet, and as passed on by the Borough Superintendent under Misc. App. 3694/58, disapproved November 12, 1958".

918-50-BZ

APPLICANT—Esso Standard Oil Company owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7h of the Zoning Resolution, to permit in a residence and business use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, storage and sale of accessories and office and to permit the parking of more than five motor vehicles on unbuilt upon portion of plot, with an entrance beyond permitted distance from the intersection.

PREMISES AFFECTED—108-47 to 108-57 Merrick Boulevard and 108-28 to 108-42 171st Street, northwest corner, Block 10253, Lots 1 and 10, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 3, 1951, on certain conditions; and

WHEREAS, plans submitted as being in substantial compliance with the Board's resolution were approved on May 8, 1951; and

WHEREAS, the resolution was amended on December 18, 1951 and March 18, 1952; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on April 3, 1951, as thereafter *amended* by resolutions adopted through March 19, 1952, by adding thereto:

"that there may be four additional 550 gallon approved gasoline storage tanks making a total of twelve such tanks, and one additional low type approved dispensing pump, as shown on revised plans marked 'Received November 26, 1958', one sheet, and as passed on by the Borough Superintendent under Misc. App. 999-58, disapproved October 23, 1958."

769-53-BZ

APPLICANT—Esso Standard Oil Company, lessee; Phyllis Bernstein, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 7A of the Zoning Resolution, permitting in a retail and business use district, for a term of fifteen years, the erection and maintenance of a gasoline service station, car wash, lubritorium, auto showroom, motor vehicle repairs, painting and spraying, wheel alignment, brake testing, accessory sales and offices; and to permit the parking and storage of motor vehicles on unbuilt upon portion of lot, with curb cuts nearer the residence use district than is permitted.

PREMISES AFFECTED—102-25 Atlantic Avenue and 93-10 to 93-16 104th Street, northwest corner, Block 9310, Lot 19, Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 7, 1954, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 12, 1955; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 7, 1954, as thereafter *amended* by resolution adopted on July 12, 1955, by adding thereto:

"that there may be two additional 550 gallon approved gasoline storage tanks making a total of twelve such tanks as shown on revised plans marked 'Received December 1, 1958', one sheet, as passed on by the Borough Superintendent under Misc. App. 1214/58, objection disapproved November 19, 1958."

618-56-BZ

APPLICANT—Charles M. Spindler, for Marlboro Holding Corporation, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision

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of the Borough Superintendent, previously granted on condition, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, automobile washing, lubritorium, office, accessory sales, minor repairs with entrances, signs and show windows within 75 feet of a residence use district.

PREMISES AFFECTED—2739-2747 86th Street and 2173-2177 West 10th Street, northeast corner and 95-105 Avenue V, Block 7117, Lots 45, 46, 47, 48, 50, 51 and 52, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that in view of the statement by the applicant that plans have been approved by the Department of Buildings, but work has not been started, that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (N. B. App. 1374/56)

521-57-BZ

APPLICANT—Lama, Proskauer & Prober, for Mamelor Realty Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, storage, office and sales, and parking and storage of motor vehicles.

PREMISES AFFECTED—537-549 Conduit Boulevard and 481-489 Hemlock Street, northeast corner, Block 4200; Lots 1, 2, 5 and 6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, by adding thereto:

“that in the event the owner desires to make minor changes in the resolution above cited, such changes may be permitted as follows:

1. Make one 30 ft. pump island with five pumps instead of two islands with three pumps each;

2. Install two additional 550 gallon gasoline tanks, making a total of twelve such tanks;

3. Install two brand signs instead of one as now proposed on revised plans filed with this request, marked ‘Received November 18, 1958’, 1 sheet, and as passed on by the Borough Superintendent under amendment to App. 963/57 disapproved November 14, 1958.”

676-51-BZ—Vol. III

APPLICANT—Samuel Carr for Rosenberg Associates, owner; Abraham Rosenberg; Agent.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously denied, under section 7e of the Zoning Resolution, permitting for a term of 15 years in the local retail use district, portion of lot located in a residence and local retail use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, motor vehicle repairs and office and permitting the parking of cars waiting to be serviced.

PREMISES AFFECTED—159-16 Union Turnpike and 80-02 to 80-12 160th Street, southwest corner, Block 6854, Lot 31, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

ACTION OF BOARD—Request for reopening filed by applicant on November 14, 1958 withdrawn at request of applicant for further study.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

192-24-BZ—Vol. II

APPLICANT—Frederick A. Ketcher for Jerome Evander Corporation, owner; Jack Grotzky, lessee.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles.

PREMISES AFFECTED—2359-2369 Jerome Avenue, west side, 60.26 feet south of West 184th Street, Block 3198, Lot 81, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick Ketcher.

ACTION OF BOARD—Application reopened as Vol. II subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

185-31-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, for Koster's Bakery Company, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence and business use, C area district, the extension of a business building (bakery), covering more than the permitted area.

PREMISES AFFECTED—1155-1161 Madison Street, north side, 75 feet east of Central Avenue, Block 3360, Lots 52 and 55, Borough of Brooklyn.

MINUTES

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and set for hearing on January 13, 1959, at 10 A.M., waiving all requirements except two publications in the Bulletin as notice, and a new decision of the Borough Superintendent, which has been filed.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

18-37-BZ—Vol. IV

APPLICANT—Carl H. Salminen, for Kenney Motors, Inc., owner.

SUBJECT—Application for consideration—re opening as Vol. IV, subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c, 7h and 7i of the Zoning Resolution, permitting in a residence and business use, C and D area district, the reconstruction and extension of existing building (presently used as an auto service station, auto laundry, body shop, paint spraying shop, brake inspection and adjustment, lubrication and grease pits, auto accessories and parts, with an office on 2nd floor), using more than the area permitted, and proposed to be used as a show room and a service station for new and old cars, auto laundry, body shop, tool room, parts department, and accessories, garage for more than five motor vehicles, gasoline pump for owner's use, unloading area, locker rooms and office on 1st floor; with offices, new car conditioning and accessory room on 2nd floor; and to permit the parking and storage of cars on roof and also to permit the parking of customers' cars and trucks on open portion of plot (previously denied, a gasoline service station and garage for more than five motor vehicles) and later granted the rearrangement of existing premises and additional premises as to parking, and motor vehicle repairs, brake testing, greasing and oxyacetylene torch for welding, and painting for a term of years.

PREMISES AFFECTED—2166-2190 Coney Island Avenue, west side, 100 feet 4 $\frac{3}{8}$ inches south of 1st Court, Block 6685B, Lots 34, 37 and 40, Borough of Brooklyn.

APPEARANCES—

For Applicant: Carl Salminen,

ACTION OF BOARD—Application reopened as Vol. IV subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

630-38-BZ—Vol. III

APPLICANT—John Harold Barry, for 5239 Corporation, owner; Webb and Knapp, lessees.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7b, 7c and 7g of the Zoning Resolution, to permit in a restricted retail and retail use district a storage garage, and the parking and storage of vehicles in cellars A, B, C and D, and with an entrance on 1st floor on East 41st Street.

PREMISES AFFECTED—120-134 Park Avenue, west side, from East 41st Street to East 42nd Street, 57-63 East 41st Street and 74-80 East 42nd Street, Block 1276, Lot 33, Borough of Manhattan.

APPEARANCES—

For Applicant: Leroy X. Porter.

ACTION OF BOARD—Application reopened as Vol. II subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

206-42-BZ—Vol. II

APPLICANT—Esso Standard Oil Company, owner.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a retail use district, for a term of two years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—91-02 63rd Drive, northeast corner of Alderton Street, Block 3104, Lot 208, Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened as Vol. II, subject to the regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

65-47-BZ

APPLICANT—Leonard F. Rothkrug, for Carmen Pisano, owner.

SUBJECT—Application for consideration—reopening for extension of term of variance which has expired July 15, 1957—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution for a term of years, to permit in a local retail use district, the extension of existing building and the change of occupancy from three stores and eight families to funeral chapel and seven families and the erection of a garage at rear for five (5) motor vehicles.

PREMISES AFFECTED—54-56 Tompkins Avenue and 712-720 Park Avenue, southwest corner, Block 1739, Lots 38 and 39, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Application reopened and set for hearing on January 13, 1958 at 10 A. M., according to the regular procedure, waiving all requirements except a new decision of the Borough Superintendent and two publications in the Bulletin as notice, in view of the term of variance having expired on July 17, 1957.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

367-51-BZ—Vol. IV

APPLICANT—William J. Calise, for Patrick Flood, Laura Grieco and John Banser, owners; Shell Oil Corporation, lessee.

SUBJECT—Application for consideration—reopening as Vol. IV subject to regular procedure—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 7i of the Zoning Resolution, permitting in a business use district, the extension of an existing gasoline service station, to be used as a lubritorium, car washing (non-automatic), minor repairs with hand tools only, office, storage and sale of auto accessories and parking of more than 5 cars awaiting service.

MINUTES

PREMISES AFFECTED—50-72 Jamaica Avenue and 2-16 Pennsylvania Avenue, southwest corner and 1-7 Sheffield Avenue, Block 3659, Lots 1, 14 and 15, Borough of Brooklyn.

APPEARANCES—

For Applicant: William J. Calise.

ACTION OF BOARD—Application reopened as Vol. IV subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

701-52-BZ—Vol. III

APPLICANT—Samuel Carr, for Franshir Realty Com-
pany, owner.

SUBJECT—Application for consideration—reopening as
Vol. III, subject to regular procedure—re Application, de-
cision of the Borough Superintendent; previously granted
on condition, under sections 7c, 7e and 21 of the Zoning
Resolution, to permit in a residence and business use, B
area district, the erection and maintenance of a business
building using more than the area permitted.

PREMISES AFFECTED—37-11 48th Avenue, northwest
corner of 38th Street, Block 228, Lot 1, (formerly Lots 1
and 8), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Carr.

ACTION OF BOARD—Application reopened as Vol. II
subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

874-52-BZ

APPLICANT—Patrick R. O'Connor, owner.

SUBJECT—Application for consideration—reopening for
extension of time to obtain Certificate of Occupancy
which has expired August 25, 1958—re Application,
decision of the Borough Superintendent; previously
granted on condition, under section 7h of the Zoning
Resolution, permitting in a residence use district, the park-
ing and storage of motor vehicles.

PREMISES AFFECTED—1774-1750 Zerega Avenue and
2403-2409 Fuller Avenue, northeast corner, Block 3997,
Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Patrick R. O'Connor.

ACTION OF BOARD—Application reopened and set for
hearing January 13, 1959 at 10 A.M. to consider extension
of time to obtain a new certificate of occupancy waiving
all requirements except two publications in the Bulletin
for notice and new decision of the Borough Superin-
tendent, which has been filed, in view of the time previ-
ously granted to obtain permits having expired on August
25, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

797-54-BZ—Vol. II

APPLICANT—Harry A. Yarish, for Anthony Trotta,
owner.

SUBJECT—Application for consideration—reopening for
extension of time to complete which expired March 26,
1958—re Application, decision of the Borough Superin-

tendent; previously granted on condition, under sections
7f and 7i of the Zoning Resolution, permitting in a busi-
ness use district the erection and maintenance of a gasoline
service station, store, washing, greasing, minor auto re-
pairs, with hand tools only, parking and storage of auto-
mobiles, dwelling and 2 car garage accessory to dwelling;
show windows within 75 feet of residence use district.

PREMISES AFFECTED—690-700 Utica Avenue and 818-
828 Clarkson Avenue, southwest corner, Block 4636, Lot
6, Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Yarish and Stanley Yarish.

ACTION OF BOARD—Application reopened and set for
hearing on January 13, 1958, at 10 A.M., waiving all re-
quirements except a new decision of the Borough Superin-
tendent, in view of time to complete having expired on
March 26, 1958.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

969-57-BZ

APPLICANT—Morris Hannes, for Henry Payson, owner.

SUBJECT—Application for consideration—reopening for
amendment of resolution—re Application, decision of the
Borough Superintendent; previously granted on condition,
under sections 7b and 7c of the Zoning Resolution, to
permit in a retail and residence use district, the change
of occupancy of the present combined buildings from
residence to restaurant in the cellar and first floor and
two family residence above.

PREMISES AFFECTED—134-136 East 40th Street, south
side, 87 feet east of Lexington Avenue, Block 895, Lots
67 and 68, Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Hannes.

ACTION OF BOARD—Application reopened as Vol. II,
subject to the regular procedure, waiving all requirements
except two publications in the Bulletin and new decision
of the Borough Superintendent, which has been filed.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

301-38-SM

APPLICANT—Sayre & Fisher Company, owner.

SUBJECT—Application for consideration—reopening for
test and report as to additional size—S. & F. Colonial
Veneer Brick manufactured by Sayre & Fisher Brick Com-
pany; previously approved.

APPEARANCES—

For Applicant: D. R. Maier.

ACTION OF BOARD—Application reopened for test and
report as to additional size.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

211-53-SA

APPLICANT—Speed Queens Corporation, owner.

SUBJECT—Application for consideration—reopening for
amendment as to additional model clothes dryer—re Speed
Queens Automatic Washer (domestic type) Models A10,
A11, A12, A18, A19, A20, A21, A22, A21W, A22W, A20F,
A20A, A20C, A20CF, A24, A24W, A25, A25F, A201 and
A 201G, previously approved.

MINUTES

APPEARANCES—

For Applicant: D. M. Eckstein.

ACTION OF BOARD—Application reopened for consideration of additional model.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

647-55-SM

APPLICANT—The Celotex Corporation, owner.

SUBJECT—Application for consideration—reopening for report as to additional size of acoustical panels—re Celotex Steelacoustic Ceiling Panels (ceiling finish that provides acoustical absorption); previously approved.

APPEARANCES—

For Applicant: William H. Pritchard.

ACTION OF BOARD—Application reopened for additional size of acoustical panels.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

405-56-SM—Vol. II

APPLICANT—The Gamewell Company, owner; Edward S. Roth, Agent.

SUBJECT—Application for consideration—reopening as Vol. II subject to regular procedure—re Flexalarm (fire alarm system); previously approved.

APPEARANCES—

For Applicant: E. S. Ruth.

ACTION OF BOARD—Application reopened as Vol. II, subject to regular procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

505-56-SM

APPLICANT—Acoustic Manufacturing Corporation, owner.

SUBJECT—Application for consideration—reopening for test and report as to additional method of hanging—re Acoustic Manufacturing Corp., A-M Metal Acoustical Tile, Sizes 12 x 24, 12 x 36 and 18 x 36; previously approved.

APPEARANCES—

For Applicant: Morris F. Williams.

ACTION OF BOARD—Application reopened for test and report as to additional method of fastening acoustical units.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

037-57-SA

APPLICANT—Ackerman Gas Boiler Corporation, new owner. Hook Manufacturing Company, old owner.

SUBJECT—Application for consideration—reopening for amendment of resolution as to change of company name—

re Hook Gas Boiler, Series 20,000 and Series 30,000 for heating and volume hot water supply; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for amendment as to change of name.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

Adjourned 6:15 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on November 25, 1958, as they appeared in Bulletin No. 48, Vol. 43, hereby corrected to read as follows:

39-57-BZ

APPLICANT—Paul Friedman for Drawwood Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening for extension of time to complete—re Application, decision of the Borough Superintendent; previously granted on condition under sections 7f and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto washing, non-automatic, minor repairs with hand tools only, office and sale of auto accessories and parking and storage of more than five (5) motor vehicles, with business entrance, signs and show windows, within 75 feet of a residence use district.

PREMISES AFFECTED—2444-2454 86th Street and 2-12 Bay 38th Street, southwest corner, Block 6865, Lot 43, Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Levine.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that in view of the statement by the applicant that plans have been approved by the Department of Buildings, *all permits shall be obtained, all work shall be completed and that a new certificate of occupancy, shall be obtained within the requirements of Section 22-A of the Zoning Resolution from the date of this amended resolution*" (N.B. 2521/56)

*Correction—Resolution corrected in relation to time being granted to obtain all permits and to complete the work, all as indicated in italics.

RULES

Fire Drill Rules, Adopted by the Board of Standards and Appeals, October 5, 1923

(593-23-SR)

DEFINITION OF "FIRE DRILL"

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1.

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenants shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION

Premises
Name of concern.....
Building No.Story.....

FOREMAN OR PERSON IN CHARGE

Regular Substitute

WATCHMAN

.....
.....

MALE SEARCHER

.....

FEMALE SEARCHER

.....

STREET ALARM BOX RUNNER

.....

FIRE BRIGADE

.....
.....
.....

EXIT GUARDS

Exit.....
"
"
"
"

Squad Monitors

.....Squad No. 1.....
..... " " 2.....
..... " " 3.....
..... " " 4.....
..... " " 5.....
..... " " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captain's) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET-ALARM-BOX-RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the Fire Department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways, and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the

persons on the premises engaged at work for a factory, and drills shall be conducted at least twice, each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNERS, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs, requiring winding are rewound after each alarm and kept in normal condition for operation.

Rule 11. Duties of Engineer.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc. are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills, showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

Applicants, under the zoning resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying proper owners, they may obtain such

copies at the office of the Board of Standards and Appeals, at 80 Lafayette Street, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

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NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication of this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, 80 Lafayette Street, 9th Floor, Manhattan, at five cents each—postage to be added if the forms are forwarded by mail.

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BULLETIN

OF THE

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CITY OF NEW YORK

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No. 51

DIRECTORY

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Address all communications to the Chairman

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LOCAL LAW—72 OF 1958

Effective December 19, 1958

A Local Law to amend the administrative code of the City of New York in relation to the payment of fees in connection with the filing of applications with the Board of Standards and Appeals.

Be it enacted by the Council as follows:

Section 1.—Section 669-1.0 of the administrative code of the city of New York as amended by local law ninety-four for the year nineteen hundred fifty-seven is hereby amended to read as follows:

Sec. 669-1.0 Fees—The following fees shall be charged for the following applications, appeals and reviews:

1. a. Application for approval of materials, (and) appliances and methods or variances of construction \$100.00
b. Application for amendment of prior approval of materials, appliances and methods or variances of construction 25.00
2. a. Application to vary the application of the zoning resolution, except as provided in subdivision b 100.00
b. Where such application is for conversion of a one-family dwelling to a two family dwelling 25.00
c. Application for an extension of the term of years of zoning variance previously granted. 50.00
d. Application for a change in use, height or area of premises in connection with a zoning variance previously granted 50.00
3. Appeal from or application for review of any order, requirement, decision or determination of the commissioner of buildings or of any superintendent of buildings or of the fire commissioner or any rule or regulation or amendment or repeal thereof made by the fire commissioner 10.00
4. Application for an extension of time in which to comply with conditions imposed in the resolution of the Board of Standards and Appeals 10.00
5. Exemptions—
 - a. The provisions of this section shall not apply if the owner of the premises affected by the application, appeal or review be a corporation or association organized and operated exclusively for religious, charitable or educational purposes, or for one or more such purposes, no part of the net earnings of which inures to the benefit of any private individual, and provided that the premises affected are to be used exclusively by such corporation or association for one or more of such purposes.
 - b. The provisions of this section shall not apply if a municipal department or agency of the city is the applicant before the Board of Standards and Appeals.

Sec. 2—This local law shall take effect immediately.

CALENDAR

DOCKET

New Cases Filed Up to December 16, 1958

Cal. No. Dept. Premises Affected

725-58-SM—Betonite Lightweight Fireproof Aggregate, manufactured by Econolite Corp., Material.

726-58-BZ—B.B.—3833 Flatlands Avenue, north side, 200 feet $\frac{3}{8}$ inches west of Flatbush Avenue, Block 7817, Lot 10, Borough of Brooklyn, Alt. 4009-58—re parking of motor vehicles on vacant portion, etc.—business and residence use district.

727-58-BZ—B.Q.—27-01 to 27-11 Newtown Avenue and 26-50 to 26-56 28th Street, northwest corner, Block 573, Lot 1, Long Island City, Borough of Queens, N.B. 1703-58—re gasoline service station, lubritorium, auto laundry, repairs, auto inspection, parking of cars awaiting service, etc.—ground sign, etc.—residence and business use district.

728-58-SM—Alumiron Grooved Type Couplings Standard Series 1000 and Lightweight Series 500, manufactured by Charles E. Manning Co., Material.

729-58-BZ—B.M.—135-141 East 103rd Street, north side, 79 feet west of Lexington Avenue, Block 1631, Lots 111, 112 and 113, Borough of Manhattan, Amendment to N.B. 79-58—re funeral parlor, parking and storage of motor vehicles—residence and local retail use district.

730-58-BZ—B.Q.—25-35 12th Street, east side, 200.16 feet north of Baylies Street (26th Avenue), Block 900, Lot 18, Long Island City, Borough of Queens, Alt. 2704-57—re change in use to factory (machine shop) and office—residence use district.

731-58-A—B.Q.—25-35 12th Street, east side 200.16 feet north of Baylies Street (26th Avenue), Block 900, Lot 18, Long Island City, Borough of Queens. Alt. 2704-57—re frame building for business purposes.

732-58-BZ—B.Q.—164-17 Goethals Avenue, north side, 80.29 feet west of 164th Place, Block 7024, Lot 25, Jamaica, Borough of Queens, Amendment to N.B. 3238-58—re Roofed over terrace in required setback—residence use, G-1 area district.

733-58-SA—Gilbarco and Esso Conversion Oil Burners, Models BD-30-10 and CD-30-30 High Pressure Atomizing Oil Burners, manufactured by Gilbert and Barker Manufacturing Co., Appliance.

734-58-SM—Dema Liquid Detergent Proportioner, Models 183 and 184, manufactured by Dema Engineering Co., Material.

735-58-BZ—B.Q.—1902 Mott Avenue, north side, 124 feet west of Beach 18th Street and 1111 Foam Place, south side, 93 feet west of Beach 18th Street, Block 40, Lots 8 and 62, Far Rockaway, Borough of Queens, Alt. 2818-58—re extension of existing building (store and supermarket) into the residence use district; parking and storage of cars, etc.—business and residence district.

736-58-BZ—B.M.—414 East 120th Street, south side, 175 feet east of 1st Avenue, Block 1807, Lot 42, Borough of Manhattan, Alt. 1595-58—re parking and storage of more than 5 motor vehicles—residence use district.

737-58-BZ—B.R.—717 Richmond Road, northwest corner of Price Street, Block 631, Lot 1, Concord, Borough of Richmond, N.B. 1216-58—re gasoline service station, lubritorium, salesroom, minor repairs, residence and retail use district.

738-58-A—B.Bx.—4114 Hill Avenue, east side, 100 feet north of Edenwald Avenue, Block 5027, Lot 41, Borough of The Bronx, Decision—re request for dismissal of violation notices re illegal retaining wall.

739-58-A—B.Q.—214-05 14th Avenue, 214-15 and 214-35 18th Avenue, 15-05, 15-55, 16-01 and 16-25 Bell Boulevard, 14-25, 15-05 and 15-55 Bell Boulevard, 14-20, 14-40, 16-10 and 16-30 217th Street, 214-10, 214-30, 214-11 and 214-31 23rd Avenue, Block 5938, Lot 50, Block 5943, Lots 10, 20, 30, 40 and 50, Block 5952, Lots 2 and 50, Block 5956, Lot 2, Bayside, Borough of Queens; Sound Vista Property, Nos. 1 through 9, inclusive; under Section 35, General City Law re erection of buildings in bed of mapped streets—14th, 18th and 23rd Avenues, 217th Street and proposed widening of Bell Boulevard, N.B. 1315-58 to N.B. 1332-58.

740-58-A—Gilbarco Twosome Gasoline Dispenser, Models 1124, 1124RC, 1114, 1114RC, 1134 and 1134RC, manufactured by Gilbert and Barker Manufacturing Co., Appliance.

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568-50-SA—Norman Southerner Horizontal Designed Forced Air Gas-fired Central Furnace, Models FUB-85C, FUB-100C and FUB-140C, manufactured by Norman Products Company, reopened for report as to additional trade name, Appliance.

622-49-SM—Gold Bond Solid 2 in. Partition using $\frac{1}{2}$ " floor to ceiling length gypsum lath and plaster, manufactured by National Gypsum Company; reopened for test and report as to additional fire rating, Material.

232-46-SM—Williamsburg 3 hour Test Hollow Steel Door, manufactured by Williamsburg Steel Products Co.; reopened for test and report as to revised edge details, Material.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

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Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of.	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of	Jan. 8, 1957.
Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Apr. 22, 1952—Vol. 37, No. 17
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Mar. 25, 1952—Vol. 37, No. 13A
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Feb. 11, 1947—Vol. 32, No. 6
Oil Burner Rules	Nov. 20, 1956.
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Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 13, 1956.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Smoking in Factories, Rules for..	April 15, 1958.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Mar. 4, 1958.
Sprinkler, Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting.	June 7, 1932—Vol. 17, No. 23
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

JANUARY 6, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, January 6, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.

SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.

PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

Laid over from December 16, 1958, to January 6, 1959, at the request of an objector.

991-57-BZ

APPLICANT—Julius S. Rapson, for Rosedale Park Homes, Inc., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family dwelling without the required front yard and within twenty feet of the rear lot line.

PREMISES AFFECTED—129-45 Brookville Boulevard, northeast corner of 130th Avenue, Block 12889, Lot 1, Rosedale, Borough of Queens.

323-58-BZ

APPLICANT—Charles M. Spindler, for 9201 Third Avenue Corp., owner.

SUBJECT—Application May 22, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7h, 7i, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use district, the change in use from parking lot to a gasoline service station with accessory uses of lubritorium, car washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and parking and storage of motor vehicles with show windows and signs within 75 feet of a residence use district, the proposed building encroaches on the required rear yard.

PREMISES AFFECTED—92-01 to 92-13 3rd Avenue and 302-314 92nd Street, southeast corner, Block 6103, Lots 5, 7, 8, and 9, Borough of Brooklyn.

505-58-BZ

APPLICANT—Reginald S. Hardy, for Daniel J. Schaefer, owner.

SUBJECT—Application August 26th, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for accessory use by patron of the funeral home and by parishioners of the church across Fourth Avenue—no fee to be charged.

PREMISES AFFECTED—416 42nd Street, south side, 100 feet, east of 4th Avenue, Block 724, Lot 11, Borough of Brooklyn.

1002-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Abraham Rosenberg, Rebecca Rosenberg, Sylvia Rosenberg and Shirley Firkser, Marion Friedman and Ruth Gold, owners.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced.

PREMISES AFFECTED—113-14 to 113-20 Rockaway Boulevard (113-16 official) and 114-24 to 114-30 114th Street, southwest corner, Block 11705, Lots 36, 37, 38, 39 and 40, Jamaica, Borough of Queens.

206-47-BZ—Vol. III

APPLICANT—Joshua Brown, for Anthony Coppola, owner.

SUBJECT—Application reopened April 8, 1958—as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, extension of the use of the present gasoline service station to include an authorized state auto inspection station, minor repairs and parking and storage of more than five cars awaiting service.

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PREMISES AFFECTED—167 Olympia Boulevard and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

625-58-A

APPLICANT—Joshua Brown, for Anthony Coppola, owner.
SUBJECT—Application October 30, 1958—filed pursuant to section 35, General City Law re proposed driveway and Curb Cuts in bed of a mapped street—proposed widening of Olympia Boulevard.

PREMISES AFFECTED—167 Olympia Boulevard, and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

1187-24-BZ—Vol. III

APPLICANT—New York Telephone Company for same, owner, Harold V. Dixon, General Solicitor.

SUBJECT—Application reopened June 17, 1958 as Vol. III—decision of the Borough Superintendent under section 7d of the Zoning Resolution, to permit in a residence use, E-1 area district, the New York Telephone Company to construct a one-story addition to the two story portion of the Richmond Hill Central Telephone Exchange building.

PREMISES AFFECTED—87-28 109th Street (official 87-28 109th Street) west side, 264.67 feet south of Jamaica Avenue and 87-29 108th Street, Block 9298, Lot 91, Borough of Queens.

573-57-BZ

APPLICANT—W. P. LaVallee, for Alexander Lo Re, owner.

SUBJECT—Application July 25, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the continuance of an existing garage that encroaches on the required rear and side yards.

PREMISES AFFECTED—85-15 Chevy Chase Street, east side, 103.1 feet south of Grand Central Parkway, Block 9968, Lot 100, Jamaica, Borough of Queens.

493-57-BZ

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the change in use from furniture storage to manufacturing of wearing apparel with an area used for manufacture in excess of that permitted.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

494-57-A

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—Appeal from a decision of the Borough Superintendent, re live load, exit, etc.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

1086-23-BZ—Vol. II

APPLICANT—Larry Meltzer, for Chassen Realty Company, Inc., owner (Joseph Stern doing business as Hide-A-Way Garage, lessee).

SUBJECT—Application reopened May 28, 1957 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, in an existing one-story building, the change in use from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and motor vehicle repair shop—non collision or body work.

PREMISES AFFECTED—2772-2774 West 15th Street, west side, 190 feet north of Neptune Avenue, Block 6996, Lot 87, Borough of Brooklyn.

129-58-BZ

APPLICANT—Robert J. Crinnion, for Edward T. and Ada McCarroll, owners.

SUBJECT—Application March 6, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3510 Putnam Place and 288 East 211th Street, southeast corner, Block 3356, Lot 10, Borough of The Bronx.

455-58-BZ

APPLICANT—Kenneth W. Milnes, for Gaetano Trubia, owner.

SUBJECT—Application July 24, 1958—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a local retail use district, the reconstruction and rehabilitation of an existing gasoline service station, accessory building for a lubritorium, car wash, auto repairs—mainly with hand tools and to install one new pump, relocate the existing pumps and install three additional tanks and provide a business sign within 75 feet of a residence use district.

PREMISES AFFECTED—194 Brighton Avenue, southwest corner of Sumner Place, Block 117, Lot 20, New Brighton, Borough of Richmond.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue (displayed) (2542-2544 Atlantic Avenue official) and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

424-58-BZ

APPLICANT—Abraham Farber, for Curb Holding Corporation, owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy of an existing one-story building from sash and door storage to auto showroom, auto repairs, storage of more than five (5) cars and gasoline storage (not for public sale), all for a term of fifteen (15) years.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

425-58-A

APPLICANT—Abraham Farber, for Curb Holding Corp., owner.

SUBJECT—Appeal July 15, 1958 from a decision of the Borough Superintendent, re construction, proximity of Social Club.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

553-58-BZ

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—decision of the Borough Superintendent, under sections 7c, 7A and 21 of the Zoning Resolution, to permit in a local retail and residence use district, a one story extension to an existing four-story multiple dwelling with basement and cellar and the change in occupancy of the basement floor from apartments to restaurant with storage, office and

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restrooms in the cellar, the proposed show windows and signs are within 75 feet of a residence use district and the proposed extension exceeds the permitted area.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, Block 1343, Lot 23, Borough of Manhattan.

554-58-A

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent—exit and rear yard.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, basement and 1st floor, Block 1343, Lot 23, Borough of Manhattan.

97-50-BZ—Vol. II

APPLICANT—Julius S. Rapson, for Island Carriers Inc., owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use "D" area district, the erection of loading platform that encroaches on the required rear yard.

PREMISES AFFECTED—150-28 107th Avenue, south side, 203.55 feet west of 154th Street, Block 10130, Lot 20, Jamaica, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision; then to January 6, 1959, for decision at the request of the applicant to acquire additional lot.

199-57-BZ

APPLICANT—Max Siegel Associates, for Abraham Hirschfeld, owner.

SUBJECT—Application reopened November 25, 1958 for consideration as to extension of time to complete, expired September 18, 1958—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan.

Laid over from December 16, 1958, to January 6, 1959, as matter is not ready for hearing; applicant to be notified.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h

of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

Laid over from September 30, 1958; date to be set; for inspection and decision; hearing closed; then set for December 19, 1958; then to January 6, 1959.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubritorium, and to extend the uses to include auto body and fender repairs.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

Laid over from December 9, 1958; date to be set; for inspection and decision; hearing closed; then set for December 19, 1958; the premises were inspected by a Committee of the Board; then to January 6, 1959, for consideration after applicant has submitted the Board a proposal for storing motor vehicles on Colfax Street

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

Laid over from September 30, 1958; date to be set; for inspection and decision; hearing closed; then set for December 19, 1958; the premises were inspected by a Committee of the Board; then to January 6, 1959, for applicant to furnish the Board with full information as to the establishment of the present use.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

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Laid over from October 21, 1958; date to be set; hearing closed; then set for December 19, 1958; then to January 6, 1959.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.
SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.

PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Segune Avenue, Block 6699, Lot 1, Princes Bay, Borough of Richmond.

Laid over from November 5, 1958; date to be set for inspection and decision; hearing closed; then set for December 19, 1958; then to January 6, 1959.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

Laid over from December 16, 1958 to December 19, 1958, for inspection and decision; then to January 6, 1959.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 6, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 6, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

33-58-A

APPLICANT—Metropolitan Tobacco Co., Inc., lessee; Anthony Ferrante Building Corp., owner.

SUBJECT—Application January 31, 1958—Appeal from an order of the Fire Commissioner, re storage of matches.

PREMISES AFFECTED—736 Parkside Avenue, south side, 306 feet, 6 inches east of Nostrand Avenue, Block 4828, Lot 22, Borough of Brooklyn.

487-58-A

APPLICANT—New York City Transit Authority, for City of New York, owner. New York City Transit Authority, Lessee.

SUBJECT—Application August 15, 1958—Appeal from an decision of the Fire Commissioner re: installation of six Diesel oil tanks.

PREMISES AFFECTED—66-99 Fresh Pond Road, north side of right-of-way, 150 feet east of Fresh Pond Road, Block 3619, Lot 3, Ridgewood, Borough of Queens.

511-58-A

APPLICANT—Sidney H. Kitzler, for David Diamond, owner; King Furniture Co., lessee.

SUBJECT—Application August 28, 1958—Appeal from a decision of the Borough Superintendent, re stairway, live load, etc.

PREMISES AFFECTED—398-400 Rockaway Avenue, west side, 189 feet, 4½ inches north of Pitkin Avenue, Block 3499, Lot 161, Borough of Brooklyn.

658-58-A

APPLICANT—Gerhard E. Karplus, Research Institute for The Study of Man, owner.

SUBJECT—Application November 18, 1958—Appeal from a decision of the Borough Superintendent, re stair enclosure opening on elevator shaft.

PREMISES AFFECTED—162 East 78th Street, south side, 151 feet, 3 inches east of Lexington Avenue, Block 1412, Lot 47, Borough of Manhattan.

676-58-A

APPLICANT—T. R. Galloway, for Consolidated Edison Co., of New York, Inc., owner.

SUBJECT—Application November 19, 1958—Appeal from a decision of the Borough Superintendent, re storage tanks below ground, etc.

PREMISES AFFECTED—700-746 East 14th Street, 199-215 Avenue D, 701-745 East 13th Street and 214-228 Avenue C, entire block, Block 383, Lots 1, 5, 9, 21, 27, 29, 31 and 35, Borough of Manhattan.

171-46-A—Vol. III

APPLICANT—Larry Meltzer, for Kenneth and Gunhilde R. Carroad, Trustees under Indentures of Trust dated January 10, 1950; Bell Container Corp., lessee.

SUBJECT—Application reopened December 19, 1958 as Vol. III—Appeal from a decision of the Borough Superintendent—construction.

PREMISES AFFECTED—2-41 North 11th Street, north side, 170 feet west of Kent Avenue and 28-66 North 12th Street, Block 2287, Lot 1, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JANUARY 13, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 13, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

657-55-BZ—Vol. II

APPLICANT—Gustave Goldman, for Joseph Ventola, owner.

SUBJECT—Application reopened October 28, 1958 as Vol. II—decision of the Borough Superintendent, under 7C and 21 sections of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a one story extension without the required rear yard and, extend the present uses of restaurant, bar, grill and cabaret and patron's parking no fee being charged.

PREMISES AFFECTED—1012-1022 Ralph Avenue, west side, 45 feet south of Snyder Avenue, Block 4731, Lot 42, Borough of Brooklyn.

488-58-BZ

APPLICANT—Charles A. Buckley, Jr., for Judson Estates, Inc., owner.

SUBJECT—Application August 15, 1958—decision of the Borough Superintendent, under Section 7h, of the Zoning Resolution, to permit local, retail and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1314-1330 Merriam Avenue, east side, 150 feet, west of 169th Street, Block 2531, Lot 5, Borough of the Bronx.

531-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Louis Loria, owner.

SUBJECT—Application September 9, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, on a plot with an existing two-story dwelling, the use of the unbuilt upon portion of the premises for a parking lot for the parking and storage of more than five (5) motor vehicles for a temporary term of five years.

PREMISES AFFECTED—170-180 McKinley Avenue and 408-414 Autumn Avenue, southwest corner, Block 4170, Lot 21, Borough of Brooklyn.

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109-58-BZ

APPLICANT—Robert J. Crinnion, for Jarvis Corp., owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing (non-automatic), minor repairs with hand tools only, office, sale and storage of auto accessories and parking of more than five (5) motor vehicles, all for a stated term of fifteen (15) years.

PREMISES AFFECTED—3032 Middleton Road, south side, from Jarvis to Hollywood Avenues, Block 5401, Lot 1, Borough of The Bronx.

523-58-BZ

APPLICANT—Charles M. Spindler, for Robert Maller and Selma Quinton, owners.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, and 7c of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, auto washing (non-automatic), office and accessory sales, minor repairs with hand tools only, auto safety inspection station and parking and storage of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—117-30 to 117-48 (117-36 official) Farmers Boulevard and 187-22 to 187-34 Baisley Boulevard, southwest corner, Block 12448, Lot 31, Hollis, Borough of Queens.

524-58-A

APPLICANT—Charles M. Spindler, for Robert Maller and Selma Quinton, owners.

SUBJECT—Application September 5, 1958—Appeal from a decision of the Borough Superintendent—re premises in bed of mapped street, proposed widening of Baisley Boulevard.

PREMISES AFFECTED—117-30 to 117-48 (117-36 official) Farmers Boulevard and 187-22 to 187-34 Baisley Boulevard, Block 12448, Lot 31, Hollis, Borough of Queens.

474-58-BZ

APPLICANT—Harry A. Yarish, for 98 Sterling Place Realty Corp., owner.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, the extension in use of an existing one story building, occupied as a garage for more than five (5) cars, to include auto repair shop and gasoline selling facilities by the installation of twelve tanks and six pumps.

PREMISES AFFECTED—98-114 Sterling Place, south side, 235 feet, 5 inches west of 7th Avenue, Block 945, Lot 21, Borough of Brooklyn.

396-58-BZ

APPLICANT—Gilbert Lazarus, for Melville A. Schroeter, owner.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7c and 7a of the Zoning Resolution, to permit in a business use district, a portion of the premises to be used for a motor vehicle repair shop together with parking of more than five (5) motor vehicles, incidental sale of gasoline, oil and motor accessories to customers of cars being repaired, office and storage space, the balance of the premises to be used for three stores, a business entrance located within 75 feet of a residence zone.

PREMISES AFFECTED—1680-1688 Albany Avenue, west side, 48.18 feet south of Marginal Street (Avenue H), and 4016-4018 Marginal Street (Avenue H), Block 7744, Lots 47, 49, and 50, Borough of Brooklyn.

521-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs with hand tools only and parking of cars awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—33-20 Francis Lewis Boulevard, southwest corner of 33rd Avenue, Block 5260, Lot 1, Bay-side, Borough of Queens.

552-58-BZ

APPLICANT—Frederick A. Ketcher and Charles Karsch, for 2574 7th Avenue Corp., owner; Eli Zelikoff and Zion Nelson, lessees.

SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the continuance of a non-flashing, illuminated sign located above the first floor of the building and is not over the subject store.

PREMISES AFFECTED—200 West 149th Street and 2574 7th Avenue, southwest corner, Block 2034, Lot 36, Borough of Manhattan.

571-58-BZ

APPLICANT—James E. Vassalotti, for David Katz, owner

SUBJECT—Application October 3, 1958—decision of the Borough Superintendent, under sections 7f, 7i and 7e of the Zoning Resolution, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs (hand tools only), car washing, storage room, office and sales and parking of cars waiting to be serviced for a temporary term of fifteen (15) years.

PREMISES AFFECTED—138-17 Hillside Avenue and 139-68 to 139-78 Queens Boulevard, northwest corner, Block 9625, Lot 54, Jamaica, Borough of Queens.

135-58-BZ

APPLICANT—Leonard F. Rothkrug, for Ludvik Hilman, Martin Rausman and George Pullman, doing business as Joint Realty Co., owners.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales, parking of cars awaiting service, all for a term of fifteen (15) years.

PREMISES AFFECTED—3880 Richmond Avenue and 4575 Amboy Road, northwest corner, Block 5585, Lot 62, Eltingville, Borough of Richmond.

665-58-A

APPLICANT—Leonard F. Rothkrug, for Ludwig Helman, Martin Rausman and George Pullman, doing business as Joint Realty Co., owner.

SUBJECT—Application November 14, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Richmond Avenue and Amboy Road.

PREMISES AFFECTED—3880 Richmond Avenue and 4575 Amboy Road, northwest corner, Block 5585, Lot 62, Eltingville, Borough of Richmond.

409-58-BZ

APPLICANT—Andrew Di Camillo, for Joseph Coscia, owner.

SUBJECT—Application June 30, 1958—decision of the Borough Superintendent, under sections 7e, 7h, 7i and 21 of the Zoning Resolution, to permit in a retail and resi-

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dence use, "C" area district the erection of a one story extension to the present building and change uses of auto laundry, auto body repairs and paint shop and parking and storage of more than five motor vehicles to automatic auto laundry, auto repairs and parking and storage of more than five (5) motor vehicles and parking of cars waiting to be serviced, the new extension occupying more than the permitted area.

PREMISES AFFECTED—8822-8824 4th Avenue and 361-383 89th Street, northwest corner, Block 6062, Lots 41, 42, 45 and 48, Borough of Brooklyn.

146-38-BZ—Vol. II

APPLICANT—Larry Meltzer, for Irving Wasserman, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business use district the enlargement in area and extension of the uses of the existing gasoline service station by erecting a one-story building at the rear of the premises for use as a motor vehicle repair shop including painting and auto body and fender repairs.

PREMISES AFFECTED—5366-5368 Kings Highway (also known as 818-820 East 53rd Street), west side, 200 feet south of Foster Avenue, Block 7948, Lot 11, Borough of Brooklyn.

185-31-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, for Koster's Bakery Company, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete—decision of the Borough Superintendent previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence and business use, C area district, the extension of a business building (bakery), covering more than the permitted area.

PREMISES AFFECTED—1155-1161 Madison Street, north side, 75 feet east of Central Avenue, Block 3360, Lots 52 and 55, Borough of Brooklyn.

65-47-BZ

APPLICANT—Sanders and Glazer, for Carmen Pisano, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of term of variance, expired July 15, 1957—decision of the Borough Superintendent, previously granted on condition under section 7e of the Zoning Resolution for a term of years, permitting in a local retail use district, the extension of existing building and the change of occupancy from three stores and eight families to funeral chapel and seven families and the erection of a garage at rear for five (5) motor vehicles.

PREMISES AFFECTED—54-56 Tompkins Avenue and 712-720 Park Avenue, southwest corner, Block 1739, Lots 38 and 39, Borough of Brooklyn.

874-52-BZ

APPLICANT—Patrick R. O'Connor, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking and storage of motor vehicles.

PREMISES AFFECTED—1774-1750 Zerega Avenue and 2403-2409 Fuller Avenue, northeast corner, Block 3997, Lot 1, Borough of The Bronx.

797-54-BZ—Vol. II

APPLICANT—Harry A. Yarish, for Anthony Trotta, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete, expired March 26, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f, 7i and

7e of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, store, washing, greasing, minor auto repairs, with hand tools only, parking and storage of automobiles, dwelling and 2 car garage accessory to dwelling; show windows within 75 feet of residence use district.

PREMISES AFFECTED—690-700 Utica Avenue and 818-828 Clarkson Avenue, southwest corner, Block 4636, Lot 6, Borough of Brooklyn.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; then to January 13, 1959, at request of the applicant; no further notices to be sent out.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

Laid over from December 9, 1958, to January 13, 1959, for inspection and decision; hearing closed.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubrication and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

Laid over from December 9, 1958, to January 13, 1959 for inspection and decision; hearing closed.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

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SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to **June 10, 1958**, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection; then to January 13, 1959, for further consideration as to the progress of construction of the church building on the plot adjacent.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use; then to January 13, 1959, at request of applicant to consider possibility of conforming use.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected; then to January 13, 1959, at the request of the applicant.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for applicant to obtain revised additional objection as to woodworking machinery from the Building Department; hearing closed; then to December 16, 1958, for inspection and decision; then to January 13, 1959, to permit the applicant to report to the Board what he proposes to do to make conditions safe; hearing closed; the premises were inspected by a Committee of the Board, which reported that the one-story building in three sections retains the gasoline equipment and storage of trucks used in the storage business, has a cross cut and rip bench saws and piles of lumber for crates with no mechanical means for removal of sawdust and cuttings, stores large quantities of imported peat moss and carnauba wax and crated material, creating a dangerous condition; the open area proposed for parking is now unused.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed; then to January 13, 1958, at request of applicant to file revised plans and for decision; the premises were inspected by a committee of the Board.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

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SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed; then to January 13, 1959, for owner to report as to possibility of selling the premises for a conforming use, now under negotiation.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 13, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 13, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

894-54-SM

APPLICANT—Inland Steel Products Company (Milcor Steel Co.), owner.

SUBJECT—Application November 12, 1954—Milcor Steel Roof Deck, approval of.

123-56-SA

APPLICANT—Hunt Heater Corporation, owner.

SUBJECT—Application February 1, 1956—Hunt Novent Gas-fired Heating Unit (for window or wall installation) Models W-20, W-355 and W-455, approval of.

169-57-SM

APPLICANT—Masonite Corporation, owner.

SUBJECT—Application February 19, 1957—Masonite Shadowvent Siding (10 inch and 12 inch widths), approval of.

170-57-SM

APPLICANT—Masonite Corporation, owner.

SUBJECT—Application February 19, 1957—Masonite Panelgroove and Ridgegroove Siding, approval of.

171-57-SM

APPLICANT—Masonite Corporation, owner.

SUBJECT—Application February 19, 1957—Masonite Ridgeline Siding, approval of.

449-57-SM

APPLICANT—The Lincoln Electric Company, owner.

SUBJECT—Application May 22, 1957—Lincolnweld Submerged Arc Welding, Process (including machines, welding, electrodes and flux), approval of.

563-57-SM

APPLICANT—The Vonnegut Hardware Company, owner.

SUBJECT—Application July 25, 1957—Type NC Von Duprin Panic Exit Device, approval of.

651-57-SM

APPLICANT—Rolscreen Company, owner.

SUBJECT—Application August 5, 1957—Pella Wood Folding Door, approval of.

263-58-SA

APPLICANT—Philips Electronics, Inc., owner.

SUBJECT—Application April 18, 1958—Novelco Gas Liquefier, Model 42149, approval of.

302-58-SM

APPLICANT—Interboro Incinerator Company, owner.

SUBJECT—Application May 15, 1958—Interboro Cast Iron Incinerator Hopper Door, Model HD-1, approval of.

324-58-SM

APPLICANT—Sheffield Division Armco Steel Corporation, owner.

SUBJECT—Application May 22, 1958—Sheffield High Strength Bolts, approval of.

454-58-SA

APPLICANT—Chattanooga Royal Company, owner.

SUBJECT—Application July 24, 1958—Royal DV-20 and DV-30, approval of.

459-58-SA

APPLICANT—Ribelle Perotto for The Barber Manufacturing Company, owner.

SUBJECT—Application July 29, 1958—Turbo-Heat Power Gas Conversion Burner, Models PBS-185 and PBS-210, approval of.

460-58-SA

APPLICANT—Ribelle Perotto for The Barber Manufacturing Company, owner.

SUBJECT—Application July 29, 1958—Gun-Heat Gas Conversion Burner, Models IN-5-A, IN-9-A and IN-15-A, approval of.

469-58-SM

APPLICANT—Hudson Cement Corp., Division of Colonial Sand & Stone, owner.

SUBJECT—Application July 31, 1958—Hudson Cement Corporation Portland Cement, Types I and II, approval of.

674-47-SM—Vol. II

APPLICANT—The Rawlplug Company, Inc., owner.

SUBJECT—Application reopened January 14, 1958 Rawl Drives and Rawl Plugs—re Raw-Drives, Masonry fastener; previously dismissed.

725-49-SA

APPLICANT—Steward-Warner Corporation, U.S. Machine Division, owner.

SUBJECT—Application October 14, 1949—Saf-Air Gas-fired Wall Heater, Models 8201, 8202 and 8203, approval of.

272-55-SA

APPLICANT—H. C. Little Burner Company, Inc., owner.

SUBJECT—Application March 28, 1955—Safti-Vent Gas-fired Wall Heaters, Models GW-16, GW-22, GW-30, GWT-16, GWT-22, GWT-30, GWR-8 and GWT-8, approval of.

226-58-SA

APPLICANT—Siemon Manufacturing Company, owner.

SUBJECT—Application April 14, 1958—Power-Combimatic Gas-Oil Burners, FGO-400BE, FGO-700BE, FGO-1000BE, FGO-2200BE, FGO-3000BE, FGO-3500BE, approval of.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

7-58-A

APPLICANT—Loral Electronics Corp., lessee, for Herbco Realty Corp., owner.

SUBJECT—Application January 3, 1958—Appeal from a decision of the Fire Commissioner—re permit for smoking—factory.

PREMISES AFFECTED—825 Bronx River Avenue, northeast side, 300 feet east of Story Avenue, Block 3621, Lot 10, Borough of The Bronx.

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286-58-A

APPLICANT—Clinton Brown, for Newton Associates, Inc., owner; World Dyeing and Finishing Co., lessee.

SUBJECT—Application April 30, Appeal from Orders of the Fire Commissioner, a decision re Orders of the Fire Commissioner and a decision of the Borough Superintendent, re location of Oil Burner, and removal of oil storage tank.

PREMISES AFFECTED—345 West 13th Street, and 670-676 Hudson Street, northeast corner, 6th floor, Block 629, Lot 4, Borough of Manhattan.

330-58-A

APPLICANT—Jack Fein, for Otto Van Glahn, owner.

SUBJECT—Application May 23, 1958—Appeal from a decision of the Borough Superintendent, re exit stairs.

PREMISES AFFECTED—1325-27 Broadway, north side, 83 feet, 11 inches, east of Grove Street, Block 3321, Lot 59, Borough of Brooklyn.

528-58-A

APPLICANT—Lama, Proskauer and Prober, for Anna Turso, owner.

SUBJECT—Application August 3, 1958—Appeal from a decision of the Borough Superintendent—re frame structure for commercial use within fire limits.

PREMISES AFFECTED—1889-1893 Fulton Street, north side, 103 feet, 2¼ inches east of McDougal Street, Block 1530, Lot 19, Borough of Brooklyn.

378-58-A

APPLICANT—Noah N. Sherman, for Karo Film Corp., owner; Bonded Film Storage Co., Inc., lessee.

SUBJECT—Application June 17, 1958—Appeal from a decision of the Borough Superintendent, re: sprinklers.

PREMISES AFFECTED—42-53 21st Street, east side, 59.87 feet north of 43rd Avenue, Block 427, Lot 24, Long Island City, Borough of Queens.

461-58-A

APPLICANT—Jacob Berman, for John Zengal, owner, Rego Forest Service Station Inc., Lessee.

SUBJECT—Application July 29, 1958—filed pursuant to section 35 General City Law re premises partly in mapped street, Nansen Street.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner, Block 3178, Lot 67, Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 20, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, January 20, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

535-58-BZ

APPLICANT—John F. Fitzsimons, for Tony and Jennie Andruk, owners.

SUBJECT—Application September 10, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, lubricatorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of cars waiting to be serviced, the proposed work to provide a new accessory building, install additional gasoline tanks and relocate the pump islands and curb cuts.

PREMISES AFFECTED—23-25 31st Street, east side, 75 feet north of 23rd Road, Block 835, Lot 27, Astoria, Borough of Queens.

186-53-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Jacob Stein, owner.

SUBJECT—Application reopened July 29, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, storage, office and sales and the parking of cars waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—216-06 Hillside Avenue and 88-10 to 88-13 216th Street, southeast corner, Block 10676, Lot 17, Hollis, Borough of Queens.

249-58-BZ

APPLICANT—Fred C. Dahlem, for Rubin Gordon, owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution to permit in a local retail and residence use district, the erection of a one story and cellar structure for use as stores and market and to use the unbuilt upon portion of the site as a parking lot for patron parking and neighborhood car owners.

PREMISES AFFECTED—1260 Gunhill Road, south side, 26.85 feet west of Bouck Avenue, Block 4619, Lots 1, 3, 21 and 28, Borough of The Bronx.

414-58-BZ

APPLICANT—Ingram S. Carner, for Eleanor A. Fisher, owner.

SUBJECT—Application July 8, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7a of the Zoning Resolution, to permit in the retail portion of a plot partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, office, sale of auto accessories, car washing (non-automatic) auto repairs with hand tools only, lubricatorium, parking and storage of more than five (5) motor vehicles waiting to be serviced with curb cuts and show windows within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—107-52 to 107-60 (107-56 official) New York Boulevard and 162-11 to 162-21 108th Avenue, northwest corner, Block 10140, Lot 26, South Jamaica, Borough of Queens.

538-58-BZ

APPLICANT—Herman E. Horwood, for Ado Cristantante, owner.

SUBJECT—Application September 17, 1958—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business and residence use district the reconstruction of an existing gasoline service station by removing the existing dwelling and changing the use of the five (5) car garage to motor vehicle repair shop with hand tools only, touch up spraying and welding and wheel alignment and to extend the existing parking of cars into the residence portion of the premises.

PREMISES AFFECTED—628-630 Crescent Avenue, south side, 128 feet west of Belmont Avenue, 2321-2327 Belmont Avenue, Block 3087, Lots 11-19, Borough of the Bronx.

306-58-BZ

APPLICANT—Henry Nordheim, for Frandel Realty Corp., owner.

SUBJECT—Application May 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, manufacturing on a floor area in excess of that permitted.

PREMISES AFFECTED—2315-2333 Westchester Avenue and 1401 Parker Street, northwest corner, Block 3969, Lot 1, Borough of The Bronx.

501-58-BZ

APPLICANT—Charles M. Spindler, for Clara Flapan, owner.

SUBJECT—Application August 25th 1958—decision of the Borough Superintendent, under sections 7e and 7h of the

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Zoning Resolution, to permit in a local retail use district the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, auto safety inspection station and the parking and storage of motor vehicles for a stated term of fifteen (15) years.
PREMISES AFFECTED—3743-3761 Nostrand Avenue, east side 140 feet north of Avenue Y, Block 7422, Lot 54, Borough of Brooklyn.

54-36-BZ—Vol. II

APPLICANT—Samuel Miller for Esso Standard Oil Co., owner.

SUBJECT—Application reopened September 30, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business and residence use district, the reconstruction and rehabilitation of an existing gasoline service station, lubritorium and auto laundry and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service, the proposed reconstruction to provide a new accessory building, additional gasoline tanks and the relocation of the gasoline pumps and curb cuts.

PREMISES AFFECTED—525 Gravesend Neck Road (517-531 displayed), northwest corner of Ocean Parkway, Block 7157, Lot 16, Borough of Brooklyn.

570-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ruth Gould, Shirley Firsler, Sylvia Rosenberg, Rebecca Rosenberg, Abraham Rosenberg and Marion Freedman, owners.

SUBJECT—Application October 3, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage room, office and sales and the parking and storage of motor vehicles.

PREMISES AFFECTED—5601-5611 Avenue U and 2063-2083 East 56th Street, northeast corner, Block 8399, Lot 6, Borough of Brooklyn.

482-58-BZ

APPLICANT—Otto J. and Warren A. Sambach, for Anthony J. Amato, owner.

SUBJECT—Application August 12, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection of a one story building for use as a warehouse and office with the open area in front used for the parking of employees cars, the proposed structure does not provide a rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—156-08 107th Avenue, south side, 50 feet west of 157th Street, Block 10135, Lot 27, South Jamaica, Borough of Queens.

491-58-BZ

APPLICANT—Ervin Palmer, for Daniel A. Brener, owner. Edward R. Lewis, Lessee.

SUBJECT—Application August 21st, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure, the change in occupancy of the second floor from private club to office use.

PREMISES AFFECTED—22 Greenwich Avenue, east side, 31 feet, 5 inches north of West 10th Street, Block 606, Lot 6, Borough of Manhattan.

544-58-BZ

APPLICANT—Julian Roth, of Emery Roth and Sons, for 80 Pine, Inc., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 19A of the Zoning Resolution, to permit in an unrestricted use, A area dis-

trict, the erection of a thirty-eight (38) story office building with less than the required number of off-street loading berths.

PREMISES AFFECTED—Block bounded by 78-80 Pine Street, north side, 134-152 Water Street 172-194 Pearl Street and 110-134 Maiden Lane, Block 39, Lots 12 to 24 and 26, Borough of Manhattan.

456-58-BZ

APPLICANT—Fred C. Dahlem, for Florence Christiano, Joseph Christiano, Jr., Emily Muccardi, owners.

SUBJECT—Application July 25, 1958—decision of the Borough Superintendent, under sections 7f, 7e, and 7i of the Zoning Resolution, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, office, sale of accessories, car wash, minor repairs with hand tools only, parking and storage of more than five (5) motor vehicles and the sale of used cars for a stated term of fifteen (15) years.

PREMISES AFFECTED—2800-2806 Boston Road, north east corner of Radcliff Avenue, Block 4516, Lots 856-863 inclusive, Borough of The Bronx.

540-27-BZ—Vol. II

APPLICANT—Samuel Miller, for Esso Standard Oil Company, owner.

SUBJECT—Application reopened September 23, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business and unrestricted use district, the extension in area and the reconstruction of an existing gasoline service station, lubrication, non-automatic car wash, office and sales-room and to extend the uses to include motor vehicle repairs and parking of cars awaiting service, the proposed reconstruction to provide a new accessory building, additional gasoline tanks and the relocation of the gasoline pumps and curb cuts.

PREMISES AFFECTED—450 Flushing Avenue and 725-727 Bedford Avenue, southeast corner, Block 1715, Lot 31, Borough of Brooklyn.

240-57-BZ—Vol. II

APPLICATION—Aaron Halpern for Fun Fair Park, Inc., owner, Kapprach Enterprises, Inc., lessee.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit the additional use of a batting range to the previously granted parking of motor vehicles on premises partly in a residence use district.

PREMISES AFFECTED—28-21 to 28-51 Linden Place (28-31 Linden Place official) and 28-20 to 28-80 Whitestone Parkway, northeast corner and 28-02 to 28-12 137th Street, Block 4336, 4337, 4339, Lots 35, 40, 62, 70, 46, and 65, Borough of Queens.

659-50-BZ—Vol. IV

APPLICANT—Henry J. Nurick, for Jericho Sash and Door Co., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the erection of a new one story building at the rear of the premises to be used in conjunction with the two existing buildings on the lot for the storage of finished woodwork such as doors, trim and sash which is delivered by railroad.

PREMISES AFFECTED—251-61 Jamaica Avenue, north side, 200.88 feet west of Little Neck Parkway, Block 8668, Lot 118, Bellerose, Borough of Queens.

373-58-BZ

APPLICANT—Peter H. Brandt, for GHG Building Corporation, owner.

SUBJECT—Application June 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district in an ex-

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isting six story and cellar multiple dwelling, the change in use of a three room, ground floor apartment from doctor's office to an artist's studio and to change the use of the Boy's Room, a room for building personnel, to a Dance School.

PREMISES AFFECTED—3701 Henry Hudson Parkway, northeast corner of Blackstone Avenue, Block 3417, Lot 246, Borough of The Bronx.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.

SUBJECT—Application reopened June 3, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, and 21 of the Zoning Resolution, to permit in a retail and residence use district, the reconstruction of an existing gasoline service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks and to relocate pumps and curb cuts.

PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

Laid over from December 16, 1958, to January 20, 1959, for inspection and decision for continuation of hearing to consider the Administrative Appeal.

705-58-A

APPLICANT—George H. Colin, for Cities Service Oil Co., owner.

SUBJECT—Application December 4, 1958—filed pursuant to section 35, General City Law re mapped street—proposed widening of Rockaway Beach Boulevard not to be used in connection with Gasoline Station.

PREMISES AFFECTED—35-01 Beach Channel Drive (Amstel Boulevard), southwest corner of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

Laid over from November 5, 1958, date to be set, for applicant to file revised plans as to accessory building and for inspection and decision; hearing closed; set for January 20, 1959.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

Laid over from September 17, 1958; date to be set; Applicant to furnish Board with plans and photographs; then set for January 20, 1959. hearing closed;

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.

SUBJECT—Application September 17, 1957—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.

PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

Laid over from December 16, 1958, and continuation of hearing to January 20, 1959; applicant to obtain new decision of the Borough Superintendent, submit revised plans and notices to be sent by regular mail of a new date of hearing.

280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

Laid over from December 9, 1958, to January 20, 1959, for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

Laid over from December 9, 1958, to January 20, 1959, for applicant to file revised plans eliminating the curb cut to Seeley Street; hearing closed.

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Jerome Estates, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.

PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

Postponed from December 16, 1958, and hearing continued to January 20, 1959, for statement by applicant as to proposed tenant.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Reso-

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lution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; then to January 20, 1959, for applicant to file revised plans showing proposed extension complies with the requirements as to the exits and floor loads; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 27, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing Tuesday morning, January 27, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the

Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center; then to January 27, 1959, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

REGULAR MEETING

TUESDAY MORNING, DECEMBER 16, 1958, 10 A.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, December 2, 1958, were approved as printed in the Bulletin of December 9, 1958, Vol. 43, No. 49.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stable to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: C. J. Cammarata, N. Y. C. Housing Authority.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A.M. to permit the applicant to report to the Board what he proposes to do to make conditions safe; hearing closed; the premises were inspected by a Committee of

the Board, which reported that the one-story building in three sections contains gasoline equipment and storage of trucks used in the storage business, has a cross cut and rip bench saws and piles of lumber for crates with no mechanical means of removal of sawdust and cuttings; stores large quantities of imported peat moss and carnauba wax and crated material, creating a dangerous condition. The open area proposed for parking is now unused.

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Jerome Estates, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.

PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Dora Petrulo and Ida Thompson.

ACTION OF BOARD—Postponed from December 16, 1958, and hearing continued to January 20, 1959, at 10 A.M. for statement by applicant as to proposed tenant.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.

SUBJECT—Application reopened June 3, 1950 as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, & 21 of the Zoning Resolution to permit in a retail use district, the reconstruction of an existing gasoline

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service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks, relocate and add pumps and curb cuts.

PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Benjamin Mosher, Joseph Vente and Joseph Yagoda.

For Opposition: Morris Gordon.

ACTION OF BOARD—Laid over to January 20, 1959, at 10 A.M. for continuation of hearing to consider an Administrative Appeal.

82-40-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for T. Harry Glick, owner.

SUBJECT—Application reopened April 29, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a retail and residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58 East 18th Street, west side, 161 feet, 9 $\frac{1}{8}$ inches north of Church Avenue, Block 5078, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Taken off calendar; referred to examiner for new date for hearing; notices to be sent subject to the regular procedure.

199-57-BZ

APPLICANT—Max Siegel Associates, for Abraham Hirschfeld, owner.

SUBJECT—Application reopened November 25, 1958 for consideration as to extension of time to complete, expired September 18, 1958—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. as matter is not ready for hearing; applicant to be notified.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.

PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 feet south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Simon Cohen and Shirley Zweier.

For Opposition: None.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.

SUBJECT—Application September 17, 1957—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.

PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

APPEARANCES—

For Applicant: H. M. Cole and H. G. Feinson.

For Opposition: Martin Zuckerbrod.

ACTION OF BOARD—Laid over and continuation of hearing to January 20, 1959, at 10 A.M.; applicant to obtain new decision of the Borough Superintendent, submit revised plans and notices to be sent by regular mail of a new date of hearing.

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., Owner.

SUBJECT—Application October 4, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubritorium, non-automatic auto laundry, sale of automobile accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: D. George Levine and Irving Warshaw.

For Opposition: Lewis Ginsburg, Irving M. Mandelbaum, Senator W. Rosenblatt, Julius Venner, Edith Vigano, George Rivers, Mrs. Sadie R. Purser, Mrs. Patricia Sgambati, Congressman Sam Curtis, Philip Silverman, Mae Meshberg, George Ferrara, S. Gary Schiller and Izzy Pakow.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

738-57-BZ

APPLICANT—Lama, Proskauer and Prober, for 644 Bushwick Avenue Corp., owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, office and sales, storage, minor auto repairs, parking and storage of motor vehicles, extending from the unrestricted to the business portion.

PREMISES AFFECTED—640-648 Bushwick Avenue and 14-20 Troutman Street, south side, 131 feet, 8 $\frac{3}{4}$ inches west of Myrtle Avenue, Block 3182, Lot 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Taken off calendar and referred to examiner for setting a new date for hearing.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

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APPEARANCES—

For Applicant: Hannibal F. Zumbo and Joseph Parascandolo.

For Opposition: Henry C. Boonemann.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

927-57-BZ

APPLICANT—Melvin E. Kessler, for Brith Realty Co., owner; John Antolotti, lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under Section 7a of the Zoning Resolution, to permit in a residence use district, the extension of the existing restaurant to enlarge the kitchen area.

PREMISES AFFECTED—337-339 East 49th Street, north side, 225 feet west of First Avenue, Block 1342, Lot 16, Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur M. Laufer and Mae Antolotti.

For Opposition: M. Atran.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

1002-57-BZ

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the extension of an existing two-story and cellar building and to extend the manufacture of toys to the second floor, previously used for the manufacture of womens' wear.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard A. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

1003-57-A

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction—increase in area-exits, etc.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision, in conjunction with Cal. No. 1002-57-BZ; hearing closed.

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.

SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.

PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

APPEARANCES—

For Applicant: John J. Lynch.

For Opposition: Max Todel.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. at the request of an objector.

257-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corporation, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for overflow parking of patrons cars attending the nightclub located across the street for a temporary term of ten (10) years.

PREMISES AFFECTED—4101-4123 Avenue V, 2236-2238 and 2246-2284 Hendrickson Street, northwest corner, 2231-2245 and 2251-2283 Coleman Street, Block 8558, Lots 1, 18, 22, 24 and 57, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Sara Quade and Frieda DeMott.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

273-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Tudor Art Galleries, Charles Albert, President, owner.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of an extension to an existing structure, formerly 2 four story buildings and now connected, the proposed extension to have the second, third and fourth floors occupy the same area as the first floor.

PREMISES AFFECTED—309-311 East 56th Street, north side, 130 feet east of 2nd Avenue, Block 1349, Lots 6 and 7, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem and Charles Albert.

For Opposition: George G. Marx.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

275-58-BZ

APPLICANT—J. M. Berlinger, for Martin Brown and William Turner, owners.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under sections 7e, 9A and 21 of the Zoning Resolution, to permit in a residence use, Class 1 height district, the erection of a six (6) story multiple dwelling with a 70 car garage that exceeds the allowable height, is located within two miles of a designated airport and provides for three (3) retail stores on the first floor.

PREMISES AFFECTED—1261 Far Rockaway Boulevard, southwest corner of Beach 12th Street, Block 35, Lots 17-27 and Lot 31, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: J. M. Berlinger

For Opposition: Emanuel Rackman, Milton Cohan, Reuben Epstein, J. Lewis Fox, Mortimer Meyrich H. Roy Newhouse, Eugene B. Davis, Irving Driansky and Morris A. Cohen.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

277-58-BZ

APPLICANT—Leonard F. Rothkrug, for Frank and Leana Mezzacappa, owners; Michael Battista, lessee.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the rebuilding of an accessory motor vehicle repair shop building to an existing gasoline service station and motor vehicle repair shop with parking of cars awaiting service.

PREMISES AFFECTED—175 Targee Street, southeast corner of Broad Street, Block 563, Lot 60, Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

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For Administration: C. J. Cammarata, N. Y. C. Housing Authority.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, minor repairs with hand tools only, non-automatic auto laundry, office storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Romarin

For Opposition: None.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A.M. at the request of the applicant; hearing previously closed.

295-58-BZ

APPLICANT—John F. Fitzsimons, for M. and F. Rubbish Removal Corp.; Martin Masci, Anthony Masci and Valentine Perna, owners.

SUBJECT—Application May 13, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a residence use district, the erection of a one-story extension to an existing one-story building and to extend the present use of garage, store, dwelling and parking to garage, office, gasoline storage tanks, dispensing pumps, maintenance and repair of owners trucks and parking in the open area.

PREMISES AFFECTED—106-48 156th Street, west side, 50 feet north of 107th Avenue, Block 10123, Lot 23, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

For Opposition: None.

ACTION OF BOARD—Application removed from calendar and referred to examiner; applicant to file new objection of the Borough Superintendent, in accordance with letter from applicant and for setting a new date for hearing.

300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles M. Spindler.

For Opposition: None.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A.M. for decision at request of applicant to file revised plans; the premises were inspected by a committee of the Board; hearing previously closed.

365-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.

SUBJECT—Application May 27, 1958—decision of the Borough Superintendent, under Sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one story building from a garage for more than five (5) motor vehicles to an auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental painting and spraying, storage of parts, parking and storage of motor vehicles waiting to be serviced, loading and unloading and welding.

PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet, 4½ inches east of Rogers Avenue, Block 5066, Lot 23, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Mitchell.

For Opposition: C. J. Cammarata.

ACTION OF BOARD—Laid over to January 20, 1959, at 10 A. M. for applicant to file revised plans showing proposed extension complies with the requirements as to the exits and floor loads; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Mitchell.

ACTION OF BOARD—Laid over to January 20, 1959, at 10 A.M. for applicant to file revised plans showing proposed extension complies with the requirements as to the exits and floor loads; hearing closed.

431-58-BZ

APPLICANT—Anthony M. Salvati, for Fred Di Donna, owner.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure presently occupied as a store and wet wash laundry on the first floor with apartments on the second and third floors, the extension of the laundry facilities to include shirt pressing.

PREMISES AFFECTED—568 17th Street and 1701-1709 10th Avenue, southeast corner, Block 878, Lot 4, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leon Komondorea.

For Opposition: None.

ACTION OF BOARD—Taken off calendar and referred to the examiner for setting a new date for hear-

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ing after applicant has filed revised plans; the premises were inspected by a committee of the Board which recommended that revised plans be filed.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.

PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of the Bronx.

APPEARANCES—

For Applicant: William C. Kane.

For Opposition: Herbert A. Norton and C. J. Cammarata for N.Y.C. Housing Authority.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

485-58-BZ

APPLICANT—Paul Trappani for Abe and Elizabeth Sholachman, owner.

SUBJECT—Application August 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of the extension to the rear of an existing one family dwelling that will encroach on the required rear yard.

PREMISES AFFECTED—2835 Gunther Avenue, west side, 200.27 feet, south of Arnow Avenue, Block 4792, Lot 14, Borough of the Bronx.

APPEARANCES—

For Applicant: Paul Trappani and Abe Sholachman.

For Opposition: None.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A.M. for inspection and decision; hearing closed.

522-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, F area district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, minor repairs with hand tools only solely within the accessory building with less than the required setback and parking of more than five (5) motor vehicles awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—166-15 Willets Point Boulevard, north side, entire triangular block bounded by 166th Street and Cross Island Parkway, 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

For Opposition: Peter Bezito, Kate Silberg, Joseph Intile, Mark Altman, Bert Lawton, Antonetta Ferrante and Mildred Roeder.

For Administration: John J. Saunders, Board of Education.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station,

lubritorium, non automatic auto laundry, and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Lynch and Jack Isaacs.

For Opposition: None.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A. M. for owner to report as to possibility of selling the premises for a conforming use, now under negotiations.

393-58-BZ

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of two (2) buildings on the one plot consisting of seven (7)—two story apartment units each with less than the required side, and rear yards and parking facilities for units.

PREMISES AFFECTED—89-36 and 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Caton Harland.

For Opposition: Harry Berlin.

ACTION OF BOARD—Application withdrawn; applicant to file new appeal.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

394-58-A

APPLICANT—Joseph Trapani, for Commercial Hotel, Inc., owner.

SUBJECT—Application June 13, 1958—filed pursuant to Section 36 General City Law re Buildings are not facing a legal street.

PREMISES AFFECTED—89-36 to 89-58 239th Street, west side, 92.8 feet north of Braddock Avenue, Block 7986, Lot 46, Bellrose, Borough of Queens.

APPEARANCES—

For Applicant: Caton Harland.

ACTION OF BOARD—Application withdrawn; applicant to file new appeal.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

448-58-BZ

APPLICANT—James E. Vassalotti, for Steve Etimos, owner, Riccardo's Restaurant, lessee.

SUBJECT—Application July 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, a parking lot for the parking of patrons cars in conjunction with the restaurant establishment located on the same block for a temporary period of five (5) years.

PREMISES AFFECTED—23-77 (23-79 official) 21st Street, and 21-02 to 21-08 23rd Terrace, southeast corner, Block 876, Lot 116, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Richard Corbusiero.

For Opposition: None.

ACTION OF BOARD—Application withdrawn in view of action by the Board as to Calendar number 582-58-BZ.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

793-20-BZ—Vol. II

APPLICANT—Irrving P. Marks, for 6101 Realty Corpora-
tion, owner; The Great Atlantic and Pacific Tea Co.,
lessee.

SUBJECT—Application reopened, as Vol. II October 21,
1958—decision of the Borough Superintendent, under sec-
tion 7c of the Zoning Resolution, to permit partly in a
business and partly in a residence use district, the change
in use of a building from theatre to self-service market,
office and bowling alleys in place of dance hall and the
erection of a one and two-story extension at the southerly
side of the building.

PREMISES AFFECTED—720-730 Washington Avenue,
west side, 32 feet, 6 inches south of Prospect Place, Block
1160, Lot 37, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klein-
ert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on
October 21, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on
November 25, 1958 after due notice by publication in the
Bulletin, and laid over to December 9, 1958 and again laid
over for decision to December 16, 1958; and

WHEREAS, the district maps accompanying the Zoning
Resolution show that the site, Prospect Place and Park Place
are in business and residence use, B area, class 1½ height
districts; Washington Avenue is in a business use, B area,
class 1½ height district; Underhill Avenue is in a residence
use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent,
dated September 10, 1958 acting on Alt. Applic. No. 1126-58,
reads:

"1. In a building located partly in a residence use dis-
trict and partly in a business use district the proposed
change in occupancy from 'Theatre' to 'Self-service mar-
ket and Dance Hall' and the extension of the building is
contrary to Art. II Sec. 3 of the Zoning Resolution.

"Note: These premises were the subject of a condi-
tional variance under Cal. 793-20-BZ."

and

WHEREAS, the decision of the Borough Superintendent,
dated December 2, 1958 acting on amendment to Alt. Applic.
No. 1126-58, reads:

"1. In a building located partly in a residence use dis-
trict and partly in a business use district the proposed
change in occupancy from 'Theatre' to 'Self-service mar-
ket and Bowling Alleys' and the extension of the build-
ing is contrary to Art. II Sec. 3 of the Zoning Resolu-
tion.

"Note: These premises were the subject of a condi-
tional variance under Cal. 793-20-BZ."

and

WHEREAS, the applicant states that the premises consist
of a plot, 100 feet frontage by 137 feet 9 inches in depth;
that it is proposed to change the use from theatre to self
service market and to excavate and underpin and create a
cellar storage area of approximately 6,000 square feet for
the use of the market; that it is also proposed to demolish
the balcony and erect a new second floor for offices and
bowling alleys; that it is further proposed to erect a one
story extension at the southerly side of the building, with a

two story portion to house a new required stairway and
storeroom; and

WHEREAS, the applicant states that plans were approved
on condition that the existing portion of the building within
the residential area be separated by a fire wall and that no
alteration shall be performed within this residential area and
that this area shall remain vacant and unoccupied; that an
amendment was filed after approval to include the entire
business and residential portions in this proposed alteration,
which amendment was denied on September 10, 1958 and as
amended on December 2, 1958; and

WHEREAS, the applicant further states that under N.B.
Applic. No. 1645 of 1921 and under Cal. No. 793-20-BZ, Vol-
ume I a theatre was erected on this site, extending into the
triangular residential portion of the property and Certificate
of Occupancy No. 15042 was issued, reading as follows:
"Stores and Theatre—seating 1264 people" dated September
25/22; and

WHEREAS, the applicant contends that the proposed one
story extension will project into the residence area in a
triangular shape of under 33 square feet in area, and will
square out the building, avoiding an inaccessible area from
this property which, if unbuilt upon, could become a catch-all
for debris; that the present area built upon in the residence
area is approximately 2,000 square feet and represents ap-
proximately 20% of the present building area which, if not
made available for the proposed use, would create a reduced
rental value and an unprofitable return for this costly altera-
tion and in addition, the proposed lessee of the cellar and
first floor would not find the property suitable for their needs
and cancel their commitment, which is contingent upon use
of the property as shown on plan, which includes the build-
ing of a cellar area and which is a major part of this altera-
tion; that the present building within the residence area has
a small extension at the rear, formerly used for the sound
equipment in back of the screen; that this is to be removed
and the opening in the masonry wall closed up; that the en-
tire alteration within this area will be entirely within the
present enclosing walls and there will be no new openings
created in the residence area from either the first or second
floors; that the present theatre has been vacant for the past
one and one-half years and has been a burden upon the
former owners; that the general character of the neighbor-
hood has not changed since the Board granted a variance in
1920 and the use, height and area designation has not
changed since 1916; and

WHEREAS, the applicant further contends that the improve-
ment in the appearance of the site by the removal of the
marquee and boarded-up front will be very beneficial to the
area; that the entire front of the building will be completely
renovated; that the providing of a well equipped a self-
service market by a national organization, needed office space
and bowling alleys will revitalize this business block and
benefit adjoining properties; that the plot is uniquely situ-
ated, in that the rear triangle fits between other properties
that have been built upon prior to the erection of this build-
ing in 1921, and the new use would in no way change the
appearance of the rear of this property and would in no way
be detrimental to adjoining properties; that discontinuance
of the use in the residence area would serve no purpose that
could be beneficial to surrounding properties; and

WHEREAS, the applicant states that the present owner has
held title to the property since December 1957; that the as-
sessed valuation of land is \$35,000 and of the building \$25,-
000 making a total of \$60,000; that the building was erected
in 1921; and

WHEREAS, the premises and surrounding area were in-
spected by a committee of the Board, which recommended
that the application be granted on condition that there be a
substitution of a bowling alley on the second floor in place
of the dancelhall as previously submitted; and

WHEREAS, the Board found that this was an appropriate
case in which to exercise discretion to grant under Section
7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does
hereby *make a variation* in the application of the use district

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regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit a cellar area; a rear extension and change of use of the building to a self-service market, office and bowling alleys substantially as proposed in place of the dancehall previously submitted on the new second floor, *on condition* that the marquee formerly over the theatre entrance shall be removed and the front renovated as proposed; that there shall be no windows in the rear walls on the second floor, as shown on plans filed with this application marked "Received September 22, 1958", 9 sheets, and revised plan "December 3, 1958", one sheet; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; other than as modified on November 20, 1923 under Calendar Number 126-22-A; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and a new certificate of occupancy shall be obtained.

624-38-BZ—Vol. II

APPLICANT—Henry Nordheim, for Beca Realty Corp., owner.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district on a plot presently occupied with a two story dwelling and two car garage, the use of the unbuilt upon portion for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3335 Hull Avenue, west side, 224.67 feet north of East 209th Street, Block 3348, Lots 66 and 70, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph Omara.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on May 20, 1958 subject to regular procedure, to consider parking and storage; and

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East 209th Street is in a residence use, C area, class 1¼ height district; Perry Avenue and Hull Avenue are in residence and business use, C area, class 1¼ height districts; Gunhill Road is in a business use, C area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 16, 1958 acting on Alt. Applic. No. 296-58, reads:

"1. Proposed parking and storage of motor vehicles on unbuilt portion of lot in a residence use district is contrary to Art. II Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 92.38 feet frontage by 100 feet in depth, approximately on street grade and entirely enclosed by a seven-foot high iron fence and the walls of adjoining buildings; that it is proposed to surface the parking area with steam cinders, spray it with oil and roll it level, to be used as a parking area which at most can accommodate about 13 cars; and

WHEREAS, the applicant states that on the northerly side of the plot there exists a two family dwelling occupied by the owner, who has his private garage at the rear of the plot; that this leaves a considerable area of unoccupied land; and

WHEREAS, the applicant contends that on both sides of

Hull Avenue, between East 209th Street and Gunhill Road, there are seven 5 and 6-story apartment houses, with many of the tenants owning cars; that this street is subject to alternate curb side parking; that this is a hardship on the owners of the smaller dwellings without garages; that while the photographs submitted with this application are of necessity day time pictures, the night scene of parked cars would show a solid line of cars at both curbs; that with the owner residing on the same plot, it will be conducted in a clean and orderly fashion, since he will be the operator; and

WHEREAS, the applicant states that the present owner has held title to the property since December 15, 1951; that the assessed valuation of land is \$13,000 and of the building \$5,000 making a total of \$18,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the unbuilt upon portion of the plot to be occupied for the parking and storage of motor vehicles of the pleasure car type only, substantially as proposed and indicated on plans filed with this application, marked "Received April 24, 1958", 2 sheets, *on condition* that during the term of this variance the premises shall be used for no other use than the parking herein permitted and for the private dwelling; that signs shall be restricted to one sign attached to the fence near the entrance, advertising the parking and storage use, the rates charged and such other information as may be required by the Commissioner of Licenses; that such sign shall not exceed five square feet in area, shall not be illuminated nor extend beyond the building line; that there may be a curb cut opposite such entrance not exceeding 12 feet in width which shall have a gate; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

1180-38-BZ—Vol. II

APPLICANT—Fred C. Dahlem and Victor E. Block, for A. M. Associates, owner.

SUBJECT—Application reopened July 23, 1957 as Vol. II—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the reconstruction of three adjoining brick buildings formerly used as stores, factory, church and dwelling, to a gasoline service station with accessory uses including minor repairs with hand tools only to be used in conjunction with a parking area located at the rear of the premises.

PREMISES AFFECTED—1215-1223 Prospect Avenue, west side, 156.43 feet south of Home Street, Block 2680, Lots 45, 50 and 54, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Victor E. Block.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on July 23, 1957 subject to regular procedure, to consider a new proposal; and

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the

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Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Home Street, Union Avenue, Prospect Avenue and East 167th Street are in a business use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 21, 1957 acting on Alt. Applic. No. 535-57, reads:

"1. Proposed use of gasoline service station, lubricatorium, car wash, sale of accessories, minor repairs with hand tools only, parking & storage of more than five motor vehicles in a business use district is contrary to Art. II Sect. 4 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 100.65 feet frontage by 220 feet in depth, irregular; that it is proposed to alter the entire structure, remove the fronts and create a new gasoline service station with a remodeled modern building; that the present buildings are not very desirable and really present an eyesore; that a new gas station in conjunction with the present large parking are will be advantageous to the neighborhood as this area is thickly populated; that the cellars will be filled in and new face brick structure will replace the old metal front of the moving picture house and the height will be reduced; and

WHEREAS, the applicant states that the present portion of the site known as lot 45 is occupied by three brick buildings, of class 3 construction, all one story in height; that the southerly building contains stores; that the center building was formerly erected as a motion picture theatre and changed into a factory and stores, under Certificate of Occupancy No. 18685 issued April 18, 1956; that the northerly building known as 1223 Prospect Avenue was altered into a church and one family apartment under Certificate of Occupancy No. 19700 issued September 5, 1956; that these buildings were originally erected under N.B. Applic. No. 418-1912; that lots 50 and 54 have been changed to a parking and storage of more than five motor vehicles, with a driveway to Prospect Avenue as permitted under Volume I; and

WHEREAS, the applicant states that the present owner has held title to the property since August 15, 1956; that the assessed valuation of land is \$35,000 and of the buildings \$8,000 making a total of \$43,000; that the buildings were erected in 1910; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7f for a term of fifteen years to permit the existing buildings to be reconstructed substantially as proposed and as indicated on plans filed with this application marked "Received July 3, 1957", 7 sheets, to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line of Prospect Avenue; that the number of gasoline storage tanks shall not exceed eight 550 gallon approved tanks; that the premises where not occupied by buildings shall be paved with concrete or asphaltic pavement; that the sidewalk and curbing in front of the premises shall be repaired to the satisfaction of the Borough President; that curb cuts shall be restricted to one 30 feet in width and one 25 feet in width, where shown; that the parking lot and the entrance thereto shall be in accordance with the requirements of the Board as previously adopted under Vol. I and in accordance with the Certificate of Occupancy issued by the Department of Buildings; that signs shall be restricted to permanent signs

attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and temporary signs and advertising devices but permitting the erection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall require; that under Section 7i, for a similar term, there may be minor repairs, with hand tools only, maintained solely within the accessory building; that such repairs may also be in conjunction with the parking area provided that all repairing is within the accessory building as herein required; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

628-39-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciana, for Irving Haas, Emil Mosbacher, Jr., Gertrude and Robert Mosbacher and Barbara Smullyan, owners.

SUBJECT—Application reopened March 25, 1958 as Vol. III—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the construction and maintenance of a parking lot for more than five (5) cars for a stated term of five (5) years.

PREMISES AFFECTED—1531-1541 Plimpton Avenue, 140-150 Featherbed Lane, southwest corner and 1550-1564 University Avenue, Block 2875, Lots 51 and 56, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: C. J. Cammai ala N.Y.C. Housing Authority and Herbert A. Norton.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley 3

Negative: Commissioner Sleeper 1

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on March 25, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for further inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, University Avenue, Plimpton Avenue, Cross Bronx Expressway and Featherbed Lane are in a residence use, B area, class 1¼ height district; that on July 25, 1916 the premises was in a business and residence use district and was rezoned to its present designation on May 2, 1949; and

WHEREAS, the decision of the Borough Superintendent, dated February 27, 1958 acting on Alt. Applic. No. 1083-58, reads:

"1. The proposed parking & storage for more than five motor vehicles, non commercial and non transient, on premises located in a residence use district is contrary to Art. II Sect. 3 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 158.7 feet frontage by 141.78 feet, irregular in depth; that it is proposed to construct and maintain the premises for use as a parking lot for a term of five years; and

WHEREAS, the applicant further states that the Board first considered these premises under Cal. No. 628-39-BZ when the northerly portion of the plot was improved with a one story structure occupied as stores, and the southerly portion, facing on Featherbed Lane, was occupied by a small gasoline service station; that on February 6, 1940

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the Board, under Cal. No. 628-39-BZ, denied an application under Section 21 to permit in a business use district the extension of an existing gasoline service station; that according to Fire Department records filed with this previous application the premises, No. 1554 University Avenue was occupied as a gas station prior to July 21, 1924 and that a permit was then in force; that Building Department records showed that stores and garages were erected in 1922 under N.B. Applic. No. 1627-22; that numerous violations were then in effect, principally noting the unsafe condition of the then existing buildings, and that violation No. 2172-38 had been placed for the storage and parking of cars contrary to law; that the Board subsequently denied an application under Section 7h to permit the use of the premises as a parking lot; that at the time of this second application, the premises was vacant—the buildings having been reported as demolished because they were in a dilapidated condition; that the premises have remained vacant since 1940, and in the meantime the surrounding area has been undergoing considerable change; that at the time the previous applications were considered, the tax block opposite the premises on University Avenue was occupied by the Sacred Heart Convent; that the Convent has since been demolished and at its location, Sedgewick Houses, consisting of five 14-story multiple dwelling units, have been erected; that in addition, the Cross Bronx Expressway is presently under construction to the southwest of the premises and many of the buildings within the subject tax block and the adjoining ones, are being demolished; that University Avenue and Featherbed Lane were in a business use district until May 2, 1949 and at that time proposed parking lot use would have been a conforming use in the major portion of the premises; that Featherbed Lane to the east was rezoned to local retail; that these premises appear on the Zoning Map as part of the mapping of the Cross Bronx Expressway because of its proximity to the overpasses and traffic flow, but nevertheless, there is no condemnation of these premises proposed, and the tax block at this location is proposed to be maintained; and

WHEREAS, the applicant contends that there is an urgent need for off street parking facilities within this neighborhood; that University Avenue is one of the most heavily trafficked thoroughfares in the City, often carrying bumper to bumper traffic across Washington Bridge; that the surrounding area is densely developed and there are no vacant plots within the area and there are no off street parking facilities within the affected area, nor within the neighborhood in general; that Sedgewick Houses, which has 786 apartments, does not have off street parking, and similarly, there are over a dozen five and six story apartment buildings within the area that have no parking facilities; that as a result, there is bumper to bumper street parking on West 174th Street, Montgomery Avenue, University Avenue, Featherbed Lane, Plimpton Avenue and on all the streets within the neighborhood; that the resulting parking problem creates a pressing demand and urgent need for the proposed use; and

WHEREAS, the applicant states that the present owners have held title to the property since November 27, 1931 and May 13, 1947 and that the assessed valuation of land is \$38,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the plot to be occupied for the parking and storage of motor vehicles substantially as proposed and as indicated on plans filed with this application marked "Received March 4, 1958" 2 sheets, and

"October 9, 1958", one sheet, *on condition* that on the existing former foundation along University Avenue and Featherbed Lane there shall be erected a woven wire fence of the chain link type not less than five feet six inches in height; that there shall be a similar fence erected along the building line of Plimpton Avenue and on the interior lot line from Plimpton Avenue to University Avenue with no openings therein except one to Plimpton Avenue within fifty feet of the building line of Featherbed Lane with gates instead of as shown on plans above cited; that the existing former foundation referred to as a retaining wall shall be repaired so as to make same safe; that the plot shall be leveled substantially to the grade of Plimpton Avenue and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that each tenant of a space in this parking lot shall be on a monthly basis and shall be furnished with a key to the gate that the gate shall normally be closed and locked; that signs shall be restricted to one sign attached to the fence near the entrance on Plimpton Avenue stating the parking use and such other information as may be required by the Commissioner of Licenses; that the sidewalks abutting the premises on University Avenue, Featherbed Lane and Plimpton Avenue shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that during the term of this variance the premises shall be used for no other use and no building shall be erected thereon; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

593-41-BZ—Vol. III

APPLICANT—William B. Lichtner for Farock Theater Corporation, owner, Lee Service Center, Lessee.

SUBJECT—Application reopened July 22, 1958 as Vol. III—decision of the Borough Superintendent under section 7i of the Zoning Resolution to permit in a business use district at an existing gasoline service station, the erection of a one bay extension to the existing accessory building and to extend the uses to include minor auto repairs with hand tools only.

PREMISES AFFECTED—10-25 Beach 19th Street, west side, 97.1 feet north of Cornaga Avenue, Block 49, Lot 46, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: William B. Lichtner.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on July 22, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Beach 19th Street, Mott Avenue, Cornaga Avenue and Beach 20th Street are in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 19, 1958 acting on Alt. Applic. No. 1294-55, reads:

"1. Proposed extension of gasoline service station, auto laundry, office salesroom, parking and storage of more than 5 motor vehicles by the addition of one bay is contrary to the resolution under Cal. #593-41-BZ and contrary to Art. 2 Sec. 4 of the Zone Law.

"2. The change in the Certificate of Occupancy to read gasoline service station, auto laundry, office, salesroom, minor auto repairs, parking and storage of more than five motor vehicles is also contrary to Cal. #593-41-BZ

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insomuch that the Resolution did not include minor auto repairs." and

WHEREAS, the applicant states that the premises consist of a plot, 225 feet frontage by 150 feet in depth; that it is proposed to add to the existing gasoline service building, originally approved by the Board on April 29, 1952 under Cal. No. 593-41-BZ, Vol. II and erected in March 27, 1953, a one-bay extension 16 feet wide by 29 feet 4 inches in depth; that this bay will be constructed in place of the carport roof granted by the Board on June 29, 1955, but never erected; that permission is also requested to amend the resolution under Cal. No. 593-41-BZ, Vol. II, to permit minor auto repairs with hand tools only; and

WHEREAS, the applicant contends that this gas service station, while offering parking to a great percentage of shoppers in the village of Far Rockaway, offers the extra convenience to these shoppers of other services such as car washing, auto repairs, etc.; that the lessee was completely unaware that the present Certificate of Occupancy did not include minor auto repairs until Violation No. 5-58 was issued for this operation; that these repairs constitute the major part of the business conducted at this site; that his client, or for that matter, any occupant would be forced to give up this gas station at a terrific loss of capital investment if the service called minor auto repairs remains prohibited; and

WHEREAS, the applicant states that the present owner has held title to the property since July, 1946; that the assessed valuation of land is \$54,500 and of the buildings \$9,500 making a total of \$64,000; that the building was erected July 13, 1953; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 19, 1952, as thereafter amended by resolutions adopted through February 7, 1956, by adding thereto:

"that in the event the owner desires to extend the accessory building by an addition, as indicated on plans filed with this application, marked 'Received November 13, 1958', 6 sheets, such addition as shown thereon may be permitted; and under Section 7i for the term specified by resolution adopted on April 19, 1952, minor repairs with hands tools only may be permitted for adjustments maintained solely within the accessory building, on condition that in all other respects the building, occupancy and use shall comply with the resolutions above cited where not inconsistent with this resolution; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

596-42-BZ—Vol. V

APPLICANT—Irving P. Marks, for Heller Roberts Manufacturing Corp., owner.

SUBJECT—Application reopened March 4, 1958 as Vol. V—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, on the residence portion of the premises, the change in use of that portion of the existing factory use for loading and unloading to an assembly area and to continue the use of the metal dust collector.

PREMISES AFFECTED—692-710 Jamaica Avenue, south side, 54 feet west of Richmond Street, Block 4102, Lots 19 and 35, Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving P. Marks and Wayne Fulton.

For Opposition: Edward P. Kelly and Nancy Corsi.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. V on March 4, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over to November 25, 1958, for inspection and decision; hearing closed; then to December 16, 1958, for inspection and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Logan Street and Richmond Street are in business and residence use, C area, class 1 height districts; Etna Street is in a residence use, C area, class 1 height district; Jamaica Avenue is in a business use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 9, 1958 acting on Alt. Applic. No. 3558-57, reads:

"2. Loading and unloading space now changed to assembly area which is contrary to plans approved by Board of Standards & Appeals under 596-42-BZ. Note—assembly area located in a residence use district.

3. Proposed installation of a dust collector located in residential portion of lot is contrary to Art. 2 Sect. 3 of the Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 186 feet 1½ inches frontage by 227 feet and 125 feet 11¼ inches in depth, irregular; that it is proposed to change the use of the loading area to assembly work, and to obtain approval for the erection of a metal dust collector; and

WHEREAS, the applicant states that recently, because of production requirements, a metal dust collector was erected and approved by the Department of Labor, and the small area used for loading, as previously approved by the Board, was changed to assembly work as part of the factory; that on November 6, 1957 Violation No. 4800-57 was placed on the premises as follows: "At rear of above premises, a metal dust collector has been erected"; that on November 7, 1957, Violation No. 4836-57 was placed on the premises by the Department of Buildings as follows: "The following changes have been made on these premises contrary to the Resolution adopted by the Board of Standards and Appeals, acting on Cal. No. 596-42-BZ, in that one-story extension approved for loading zone has been changed to factory, assembly work; and

WHEREAS, the applicant contends that except for the erection of the metal dust collector, at the rear of the existing building, there is no change in the size or shape of the present buildings, other than the use of the loading area, to assembly area; that the changes made were necessary to the proper operation of the existing factory within the limits of the buildings already approved, and in no way changed the character of the businesses being conducted within the premises; that the yard area in back of the existing building has always been, and is still being maintained as a garden area, and has suitable fencing surrounding the area and is also beautifully landscaped; that a garden area is directly in back of and between adjoining residential properties and has not been changed in any way, except for the small area directly in back of the building where the metal dust collector has been erected; that the entire property, including the driveways and loading areas, have been kept in tip-top shape; that the owners have always tried to keep the residential character of the rear portion of the property, which has created additional expense to them without any benefit to their business whatsoever; and

WHEREAS, the applicant states that the present owner has held title to the property since 1908; that the assessed valuation of land is \$33,200 and of the building \$71,300 making a total of \$104,500; that the building was erected in 1922; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 20, 1942, and as thereafter amended by resolutions amended through

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December 6, 1955, by adding thereto:

"that the building previously permitted by the Board as an unloading space may be used as a portion of the factory as proposed and shown on plans filed with this application marked, 'Received February 6, 1958' 5 sheets, and 'July 3, 1958,' 1 sheet *on condition* that the extension shall comply with all laws, rules and regulations applicable thereto; that the exhaust equipment attached to the building at the rear in the residential district as required by the State Labor Department shall be enclosed with concrete blocks not less than 6 inches in thickness and other construction as may be needed effectually to deaden the noise; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and resolutions as above cited where not inconsistent with the resolution; that all permits shall be obtained and all work completed and a new certificate of occupancy obtained within six months."

312-51-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Flash Holding Corp., owner.

SUBJECT—Application reopened May 6, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a business use district, to alter and rearrange the present gasoline service station and auto accessories and extend the uses to include lubritorium, office and sales, motor vehicle repair shop, stores for sale of accessories and storage room.

PREMISES AFFECTED—2041-2049 Flatbush Avenue and 2-14 Baughman Place, southeast corner, Block 7868, Lot 18, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on May 6, 1958 subject to regular procedure, to consider extension and change of use; and

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, at the request of an objector; then to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Flatbush Avenue are in a business use, D area, class $\frac{1}{2}$ height district; Baughman Place and Troy Avenue are in business and residence use, D area, class $\frac{1}{2}$ height districts; that as of July 25, 1916 the premises were in a class one height district and received the present use designation August 25, 1955; and

WHEREAS, the decision of the Borough Superintendent, dated March 19, 1958 acting on Alt. Applic. No. 35-58, reads:

"1. The proposed extension and change of use from oil selling station, auto accessory stores and 4 car garage to gasoline service station, office & sales, lubritorium, storage, auto accessory stores and motor vehicle repair shop on a lot located in a Business use district is contrary to Art. II, PP. 4a subsection 29 & 46 of the Zoning Resolution.

2. Show windows located with 75'-0" of a Residence use district is contrary to Art. II, PP. 7A of the Zoning Resolution.

(Note: These premises were the subject of a Board

of Standards and Appeals variance under Cal. No. 312-51BZ.)"

and

WHEREAS, the applicant states that the premises consist of a plot, 87.70 feet frontage by 100 feet in depth, presently developed with a gasoline service station consisting of six 550 gallon gasoline tanks, six dispensing pumps and two open grease pits; that the premises are also developed with a one-story building of class 3 construction, having a frontage of 46 feet 9 inches, an irregular depth of 61 feet $8\frac{3}{4}$ inches and now occupied as a motor vehicle repair shop and stores for accessory sales; that the cellar is being used for storage; that it is proposed to rearrange the gasoline station pump layout by setting four new approved type gasoline dispensing pumps ten feet in back of the Flatbush Avenue building line; that it is also proposed to erect a new extension of class 3 construction, having a frontage of 24 feet 6 inches, a depth of 24 feet, for use as a lubritorium, office and sales; that it is further proposed to maintain the present motor vehicle repair shop, stores for sale of accessories and storage room; and

WHEREAS, the applicant states that the present gas station was established under Applic. No. 4581-1924 and Certificate of Occupancy No. 26683 was issued on June 25, 1924 for use as oil station, auto accessories, no repair shop; that the present motor vehicle repair shop was originally erected as a four car garage under N.B. Applic. No. 8501-1926; that the present store for accessory sales was originally erected as stores under Applic. No. 11338-1927; that no Certificates of Occupancy were ever issued for the stores and the four car garage; that the premises were also subject to Cal. No. 312-51-BZ and Alt. no. 544-1951; that no work was done under this approval; and

WHEREAS, the applicant contends that the rehabilitation of this gas station, which has been in constant operation since 1924, will provide better service to the people of this community and will not have an adverse effect upon any of the adjoining property owners; that setting the pumps 10 feet in back of the Flatbush Avenue building line will provide better protection for passing pedestrians and keep the cars being serviced off the sidewalk; that the reduction of the curb cuts to two 30 feet cuts on Flatbush Avenue and one 30 foot cut on Baughman Place will also protect the passing pedestrians; that the show window is located within 75 feet of the residence zone area and was erected before Section 7A was added to the Building Zone Resolution; that the 30 foot curb cut on Baughman Place is necessary for the proper operation of this service station; and

WHEREAS, the applicant states that the present owner has held title to the property since December 1, 1953; that the assessed valuation of land is \$30,000 and of the building \$7,000 making a total of \$37,000; that the building was erected in 1924; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted as it will be a material improvement over the present arrangement, with pumps away from the building line and the proposed occupancy of vacant stores in the rear.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 18, 1952, by adding thereto:

"that in the event the owner desires to alter the present gasoline service station to improve and extend the facilities, as proposed and indicated on plans filed with this application, marked 'Received April 16, 1958,' 8 sheets, such changes may be made, provided the construction shown shall be carried out and the use of the existing stores on Baughman Place shall be maintained for the uses thereon shown and no other uses; that the curb cuts as existing shall be reduced as shown; that gasoline pumps may be relocated as shown on plans above cited; that there may be minor automobile repairing with hand tools only for adjustments maintained solely within the accessory building; that the closure of the space for the greasing pits, replacing the outdoor lifts

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shall meet the requirements of the Building Code; that under Section 7A any show windows considered contrary thereto may be permitted, provided the requirements of this resolution are met; that in all other respects the resolution above cited shall be complied with; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

35-52-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Stapleton and Schneider Motor Sales, Inc., owner.

SUBJECT—Application reopened October 7, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story building occupying more than the permitted area for use as a bowling alley, restaurant, bar and lounge with parking of patrons' cars—no fee to be charged.

PREMISES AFFECTED—32-45 75th Street, east side, 100 feet north of Northern Boulevard, Block 1171, Lots 46 and 62, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on October 7, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 32nd Avenue are in a residence use, D area, class 1½ height district; 75th Street and 76th Street are in residence and business use, B and D area, class 1½ height districts; Northern Boulevard is in a business use, B area, class 1½ height district; that as of July 25, 1916 the premises were in an unrestricted use district and a class B area district; that the present use and area designations became effective July 31, 1947; and

WHEREAS, the decision of the Borough Superintendent, dated August 19, 1958 acting on N.B. Applic. No. 1924-58, reads:

"1. The proposed erection of a structure for use as bowling alleys, restaurant, bar and lounge, parking of patrons' cars (no fee to be charged), business signs and curb cut on a lot in a residence district is contrary to art 2, Sec. 3 of the Z.R.

"2. Provide a rear yard as per Sec. 14(a) of the Z.R.

Note: These premises were the subject of a variance by the Board under Cal. #35-52-BZ.

"3. Area coverage is in excess of that permitted by Sec. 14(c) of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 325.45 feet frontage by 100 feet in depth, presently being used for the parking of customers' cars and cars awaiting service; that it is proposed to remove all the present uses and erect a modern, one story building of class 1 construction, having a frontage of 262 feet, a depth of 83.54 feet for use as bowling alley, restaurant, bar and lounge; that the open area is proposed for parking of patrons' cars—no fee to be charged; and

WHEREAS, the applicant states that in 1947, under Alt. Applic. No. 755-47, permission was granted to use that part of the premises having a frontage of 198 feet on 75th Street, starting 100 feet north of Northern Boulevard and for a depth of 100 feet, for parking and storage of more than

five cars, sales of used cars, open auto repairing, gasoline station and lubrication work and for which Certificate of Occupancy No. 43572 was issued; that under Alt. Applic. No. 2950-51 and Cal. No. 35-52-BZ the uses were changed to gasoline station, parking of customers cars and storage of cars waiting to be serviced, for which Certificate of Occupancy No. 92192 was issued; and

WHEREAS, the applicant contends that although the area north of Northern Boulevard has been changed from an unrestricted use district to a residence use district, this particular street where the site is situated has not developed in conformity with the use change; that therefore the change of use from one legal non-conforming use to another non-conforming use on this site cannot possibly affect any of the adjoining properties; that there is within the same block, on lot No. 36, a non-conforming use of gas station, and another non-conforming use, across from the site in block 1170, lot 38, of motor vehicle repair shop; that the land is high in assessed value so that it is mandatory for the owner to develop this site as proposed in order to receive an equitable return on his investment; that the building will be modern in design and an asset to the community; that there are no windows proposed in the bowling alley portion of the building, so that any noise that may emanate from the building will be strictly confined; and

WHEREAS, the applicant further contends that the rear yard as proposed for the first 249.96 feet of the rear lot line is 15.96 feet, for the next 11.04 feet the rear yard has an average depth of 20.48 feet, for the balance of 65 feet the rear yard is 25 feet and complies with Section 14(a) of the Zoning Resolution; that the 15.96 foot rear yard is adjoined by a 10 foot driveway that is used for egress and ingress to the adjoining garages on lots 19 to 31; that the distance between the garages on the proposal is 25.96 feet; that therefore, inasmuch as there are two permanent easements of 10 feet each, making a total of 20 feet plus an additional 5.96 feet making a total of 25.96 feet between the proposal and the adjoining garages; that the reduction of the rear yard for a portion of this site cannot materially effect any of the adjoining properties; that the area of the lot is 33,137 square feet, the area of the proposed building is 20,217 square feet, and since the permitted coverage is 18,225 square feet, the proposal is 1992 square feet in excess; that the excess area is a very small percentage of the total building and is required in order to provide the proper facilities to operate this large bowling alley; and

WHEREAS, the applicant states that the present owner has held title to the property since October 5, 1951 and that the assessed valuation of land is \$33,800; that the building was erected in 1947; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on September 30, 1952, by adding thereto:

"that in the event the owner desires to omit the use as permitted by the resolution above cited and in place to construct a building for a bowling alley and to provide space for the parking of cars substantially as proposed and shown on plans filed with this application marked "Received Aug. 22, 1958", 4 sheets and "November 6, 1958", 1 sheet, such use may be permitted provided that the proposed building shall be constructed northerly to the lot line and the parking area located against the southerly lot line; that the equipment of the alleys, and other bowling equipment, shall be of a type that is as noiseless as possible; that the toilet rooms shall be vented through the roof and not by windows, as shown; that the exit doors indicated may be permitted to the rear yard as proposed provided such doors are not used except for exit purposes and are kept closed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such fire fighting appliances shall be maintained as the Fire Commissioner shall require; that the parking lot toward the south, as relocated, shall be surfaced with clean gravel or steam cinders

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and treated with a binder and properly rolled and shall be enclosed with a woven wire fence of the chain link type on a masonry base not less than five feet six inches in total height; that the rear yard shall be maintained across the property for its full length; that entrance to the parking lot shall consist of one opening in the fence which shall be fitted with gates which shall be normally kept closed when the bowling alley building is not in operation, and with a curb cut opposite not over 14 feet in width; that the sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that along the rear yard where existing fences do not occur on the building line there shall be erected a similar woven wire fence of the height as specified; that signs shall be restricted to signs as would be permitted if the lot were in a local retail district; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

202-54-BZ—Vol. II

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Fannie Di Lello and Steven Letizia, owners.

SUBJECT—Application reopened January 21, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7e of the Zoning Resolution, to permit in a local retail use district, a three-bay extension to the existing gasoline service station building, with accessory uses of lubritorium, car wash, motor vehicle repairs and office, the plot also contains a two-story dwelling.

PREMISES AFFECTED—3020 Eastchester Road, east side, 100.06 feet north of Adee Avenue, Block 4766, Lots 41 and 43, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Volume II on January 28, 1957, subject to regular procedure, to consider extension; and

WHEREAS, a public hearing was held on this application on November 25, 1958, after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Eastchester Road are in a local retail use, D area, and class ½ height district; Hammersley and Adee Avenues are in a local retail and residence use, D and D-1 Area and class ½ height district; Mickle Avenue is in a residence use, D-1 area and class ½ height district; that on July 25, 1916 Eastchester Road, for a depth of 100 feet, was zoned business and the balance of the plot was residence; Eastchester Road was changed to residence on October 18, 1949; that the entire premises and Eastchester Road was rezoned into local retail on August 26, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated October 20, 1958, acting on Alt. Applic. 1166-57, reads:

"1—Proposed extension of gasoline service, office, lubritorium, non-automatic car wash and auto repair shop (previously granted by the Board) is contrary to Art. II Sect. 4-c of the Z.R. and Cal. #202-54-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot 150.05 feet frontage, by 139.81 feet in depth, irregular; that it is proposed to extend the existing gasoline service station; auto repair shop, office, lubritorium and car wash (non-automatic); that the Board considered the previous history affecting these premises under Calendar Num-

ber 202-54-BZ, Volume I and granted a variance to permit the rebuilding and addition of accessory uses on October 5, 1954; that the application was subsequently amended when the zone was changed from residence to local retail; and

WHEREAS, the applicant contends that Certificate of Occupancy #522-28 was issued April 10, 1928 upon completion of N.B. Applic. #82-28 for the construction of a one story cement block garage with a two family dwelling on the same lot; that said plans and application called for the demolition of an existing store; that Certificate of Occupancy #94-28, issued upon completion of Alt. Applic. 39-28 called for a store and auto supplies; that Certificate of Occupancy #295-30 was issued November 20, 1930 upon completion of Alt. Applic. 423-30 for automobile accessory store, the family dwelling and private garage; that the records of the Fire Department show that Plan and Application #1002-22 was approved October 2, 1922 for the installation of a gasoline storage tank of 550 gallon capacity at this location; that Permit #84535-23 was issued May 1, 1923 following this approval for an oil selling station; that these records show that in subsequent years the number of tanks were increased from one in 1923 to five in 1951, with a capacity of 2750 gallons; that in 1938, for instance, the location was approved for three tanks with a capacity of 550 gallons of gasoline each; that one tank of 120 gallons for kerosene and 100 gallons of lubricating oil; and

WHEREAS, the applicant states that the present owner has held title to the property since March 4, 1952 and June 4, 1955; that the assessed valuation of the land is \$36,500 and of the building \$19,500 making a total of \$56,000; that the building was erected in 1955; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, and the committee recommended that the application should be granted to permit the accessory building of the existing gasoline station to be constructed on an additional lot adjoining the premises.

Resolved, that the Board of Standards and Appeals does hereby amend under section 7c the resolution adopted on October 5, 1954, as thereafter amended by resolutions adopted through May 21, 1957, by adding thereto:

"that in the event the owner desires to increase the area of the premises by the addition of Lot No. 41, such extension may be permitted and the extension of the accessory building may be constructed as proposed and as indicated on plans filed with this application marked "Received December 23, 1957", 5 sheets, and "April 25, 1958", one sheet, on condition that the accessory building addition shall comply with all the requirements of the Building Code therefor, and shall be used as proposed and shall agree in design with the present existing building; that the premises shall be paved in front of such extension, and alongside, with concrete or asphaltic pavement; that the space in the rear shall be leveled and surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that woven wire fence of the chain link type shall be constructed on the new lot lines where masonry buildings on adjoining property do not occur on the lot lines and fences may be removed on the present lot line; that such fences shall be not less than 5 feet 6 inches in height and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

634-54-BZ—Vol. II

APPLICANT—Paul Friedman for 102 West End Avenue Corp., owner.

SUBJECT—Application reopened July 8, 1958 as Vol. II—decision of the Borough Superintendent under sections 7e and 7h of the Zoning Resolution to permit in a retail use district for a term of fifteen (15) years, the erection and maintenance of a gasoline service station, car wash non-automatic, minor repairs with hand tools only, office and sale of auto accessories, parking and storage of more than five motor vehicles with a ground sign in the local retail use district.

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PREMISES AFFECTED—219-02/12 Hempstead Avenue (219-06 Hempstead Avenue, official) and 103-01 219th Street, southeast corner, Block 11154, Lot 22, Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on July 8, 1958 subject to regular procedure; and

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Hempstead Turnpike are in a local retail use, D area, class $\frac{1}{2}$ height district; 219th Street and 220th Street are in local retail and residence use, D and E-1 area, class $\frac{1}{2}$ height districts; 104th Avenue is in a residence use, E-1 area, class $\frac{1}{2}$ height district; that as of July 25, 1916 the property was zoned as a business use district, a one time height district and a D area district; that the use district designations was changed from business to local retail on January 21, 1947; that the height district designation was changed from class 1 to class $\frac{1}{2}$ on June 30, 1952; that the area district has not been changed; and

WHEREAS, the decision of the Borough Superintendent, dated June 4, 1958 acting on N.B. Applic. No. 435-58, reads:

"1. Proposed gasoline service station, car wash (non-automatic) minor repairs (with hand tools only), office and sale of auto accessories, parking and storage of more than 5 cars on a lot in a local retail district is contrary to Sec. 4-c of the Z.R.

2. Proposed ground sign on a lot in a local retail district is contrary to Sec. 4-c of the Z.R."

and
WHEREAS, the applicant states that the premises consist of a plot, 126.38 feet frontage by 100 feet in depth; that it is proposed to erect and maintain for a stated term of fifteen years, a parkway-type gasoline service station, non-automatic car wash, minor repairs with hand tools only, office and sales of auto accessories, parking and storage of more than five cars, with a ground sign in the local retail use district; and

WHEREAS, the applicant states that on June 28, 1955 the Board denied an application under Cal. No. 634-54-BZ under Sections 7e, 7i, 7h and 7A, to permit the demolition of existing frame structures and the erection and maintenance, in the local retail use district portion of a plot located in a residence and local retail district, of a gas station, lubricatorium, auto laundry, motor vehicle repairs, storage and sale of accessories and office, with a curb cut nearer the residence district than is permitted; and to permit the parking and storage of motor vehicles, with a curb cut in the residence use district portion of the plot, at premises 219-02 to 219-12 Hempstead Avenue and 103-01 to 103-19 219th Street, southeast corner, Block 11154, Lot 18, Queens Village; that said premises consisted of a plot 126.55 feet and 191.80 feet frontage by 126.38 feet in depth, irregular; that previous to the decision, application and plans were amended so as to confine it to the local retail use district portion of the premises, omitting the proposed non-conforming use in the residence use district (see plan of proposed conditions marked "Received April 21, 1955"), so that the denial related to the same premises that is the subject of this new application; and

WHEREAS, the applicant further states that the architecture of the proposed building is different; that the previous application was for a flat-roofed building faced with

porcelain enamel and the present application is for a parkway-type building, faced with face brick, and having an asphalt-shingled roof; that false dormers and an attractive cupola, ornament the front facade, and shutters, bordering false windows, ornament the unpierced southerly wall; that the previous application showed the south wall of the building and the south fence wall to be located at the use district boundary line, which is 100 feet perpendicularly south of the Hempstead Avenue building line; that the present application relocates the south wall of the building and the south fence wall so as to create a seeded and landscaped area, 10 feet wide and 115 feet deep, between the southerly walls and the use district boundary line; that an ornamental ranch type fence is additionally proposed to enclose the landscaped and seeded area on the south, east and west; and

WHEREAS, the applicant also states that increased automobile traffic now warrants an additional gasoline service station in the area; that in denying the previous application, the Board set forth in its determining resolution that there appeared to be a sufficient number of gas stations within the general area; that since the denial, automobile traffic on Hempstead Avenue has increased substantially due in part to the tremendous development of access roads to and parking facilities at Belmont Park Race Track, in part to the development of outlying areas whose residents drive on Hempstead Avenue and in part to the general increase in the number of cars on the road; that it is significant that this heavy automobile traffic exists and will increase even if the plot in question should remain undeveloped; that the proposed gas station would not increase automobile traffic—it would merely service it; that diligent efforts to sell, lease or develop the premises for a conforming use, subsequent to the denial of the previous application, have been made and have proved fruitless; that at this moment there are four vacant stores on Hempstead Avenue between 220th Street and 221st Street—three on the south side and one on the north; that this pattern of frequent vacancies fluctuates from time to time, of course, but the pattern is indicative of lack of support for existing stores, much less for new ones; and

WHEREAS, the applicant contends that there is no economic demand for development of the site for conforming uses, such as stores or residences, but there is an economic demand for development as a gasoline service station; that a grant of this application would be a benefit, rather than a detriment, to the area deemed by the Board to be affected by this application; that a grant of the instant application would reduce, rather than increase traffic hazards and parking congestion in the area; that it would provide more light and ventilation to nearby properties than if the premises were to be developed with a conforming building; that a grant of the instant application would do substantial justice in that it would permit the property to be developed in the only feasible manner for which there is an economic demand, without adversely affecting anyone; and

WHEREAS, the applicant states that the present owner has held title to the property since September 23, 1955 and that the assessed valuation of land is \$27,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and lawful accessory uses substantially as proposed and indicated on plans filed with this application marked, "Received June 17, 1958," 4 sheets, *on condition* that any uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Hempstead Avenue and shall be developed as indicated on plans above cited; that the accessory building

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shall be of the location, design and arrangement as indicated and shall comply with the Building Code in all other respects; that there shall be no cellar under such building; that on the lot line to the east there shall be a masonry wall not less than 5 feet, 6 inches in height, faced with face brick and properly coped and with suitable terminal post at the building line of Hempstead Avenue; that a similar wall shall be continued in line with the rear of the accessory building and where the wall of the accessory building does not occur, to 219th Street; that at the rear of such wall for a depth of 10 feet, the plot shall be seeded and landscaped for the full width and protected with a ranch type wooden fence on the lot lines not less than 4 feet, 6 inches in height; that curb cuts shall be restricted to 2 curb cuts, each 30 feet in width to Hempstead Avenue, and one within the first 25 feet from the intersection on 219th Street and not over 20 feet in width; that the gasoline pumps shall be of a low approved type erected not nearer than 15 feet to the street building line; that gasoline storage tanks shall not exceed twelve 550 gallon approved gasoline storage tanks; that planting, as shown, shall be of suitable planting material and shall be protected with a curbing not less than 8 inches in height and 6 inches in width; that the balance of the premises where not occupied by the accessory building, planting and pumps, shall be paved with concrete or asphaltic paving; that sidewalks abutting the premises on Hempstead Avenue and 219th Street shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7h there may be for a similar term, parking and storage of motor vehicles on such portion of the premises as will not interfere with the servicing of the station; that under Section 7i for a similar term, there may be minor repairs with hand tools for adjustments only, maintained solely within the accessory building; that signs shall be restricted to permanent signs attached to the facade of the building facing Hempstead Avenue and the illuminated globes of the pumps excluding all roof and temporary signs and advertising devices, but permitting the erection at the intersection of Hempstead Avenue 219th Street, of one post standard for supporting a sign which may be illuminated advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line at right angles to Hempstead Avenue for a distance of not more than 4 feet; that at this point at the intersection there shall be erected a block of concrete extending for a distance of 5 feet from the intersection along both streets and not less than 12 inches in height; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

714-56-BZ—Vol. II

APPLICANT—Frederick A. Ketcher, for Louis Fayne, owner.

SUBJECT—Application reopened May 27, 1958 as Vol. II—decision of the Borough Superintendent, under section 7f of the Zoning Resolution, to permit in a business use district, the enlargement in the open area of a proposed gasoline service station, previously granted by the Board, to provide safer facilities for cars entering and leaving by adding two new curb cuts.

PREMISES AFFECTED—1346 Edward L. Grant Highway, east side, 369 feet north of West 169th Street, Block 2871, Lots 81, 83 and part of Lot 77, Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on

May 27, 1958 subject to regular procedure, to consider extension of area; and

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the dictist maps accompanying the Zoning Resolution show that the site and Edward L. Grant Highway are in a business use, B area, class 1¼ height district; Cromwell Avenue and West 170th Street are in business and unrestricted use, B area, class 1¼ height districts; West 169th Street is in a business use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 24, 1958 acting on N.B. Applic. No. 16-18-56, reads:

"1. Extension of yard area of gasoline station is contrary to Bd. of S. & A. Cal. #714-56-BZ." and

WHEREAS, the applicant states that the premises consist of a plot, 181.14 feet frontage by 56.64 feet in depth, irregular; that it is proposed to add the apportioned part of lot 77 to the present lots 81 and 83, thus increasing the area of the gasoline station by some 1320 square feet; that this area will be covered with a concrete arch of similar construction, as previously shown for the approved station, and the reinforced concrete lot line wall will be continued around the additional perimeter in the lot; that the entire sidewalk will be properly graded and rebuilt of reinforced concrete; and

WHEREAS, the applicant states that this small parcel was purchased from the City of New York on January 29, 1958 expressly for the purpose of insuring better and safer drive-in conditions for the approved station; that the only request in this appeal is to include this parcel as yard area; that there will be no other change in the occupancy; that there is an easement by the City of New York, which is quoted verbatim:

1. Easement shall be retained for the passage, maintenance and repair of the fuel line to garage at premises 1331 Cromwell Ave.

2. The fuel fill box shall be protected and/or relocated if drop curbs are to be installed.

3. The rear wall and the roof of the garage shall be fully protected if filling or construction is to be done on subject plot.

that all of these provisions, terms and conditions are duly noted and clearly shown on the drawings; and

WHEREAS, the applicant contends that the present drive-in approach can only be accomplished by making a sharp curve towards the pump island; that the irregular shape and limited depth of the plot, the curve of the street, which faces all incoming traffic, and the up-grade of the highway would cramp station circulation and operation; that the proposed additional area would enable all station traffic to drive directly to the pump island in practically a straight line, thus eliminating any curves in the yard area and insuring the safest possible drive-in for both the attendants and the public; that request is also made for two additional 30 foot curb cuts; that the proposed additional area for drive-in purposes only, would result in a decided improvement in the general appearance of the premises and definitely contribute to the safety of station operation and to the convenience and safety of the public; and

WHEREAS, the applicant states that the present owner has held title to the property since January 29, 1958 and that the assessed valuation of land is \$13,400; and

WHEREAS, the premises and surrounding area were previously inspected by a committee of the Board; and

WHEREAS, the applicant stated that the work permitted by the resolution adopted on December 17, 1957, is now under way.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 17, 1957, by adding thereto:

"that in the event the owner desires to enlarge the premises by the addition of the lot adjoining on the

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south, No. 77, as now proposed and shown on plans filed with this application, marked 'Received May 2, 1958', 3 sheets and November 5, 1958, 1 sheet' such extension may be permitted *on condition* that the structural conditions and safeguards as required in resolution adopted January 17, 1957, shall apply only to this lot and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and the requirements as to the easement across the property shall be fully complied with.

479-57-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Dora Leventhal, owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2668 Marion Avenue, east side, 100 feet south of East 195th Street, Block 3282, Lot 22, Borough of The Bronx.

APPEARANCES—

For Applicant: Fred C. Dahlem and Victor E. Block.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1¼ height district; Marion Avenue and East 195th Street are in residence and business use, B area, class 1¼ height districts; Decatur Avenue and East 194th Street are in a business use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 27, 1957 acting on Alt. Applic. No. 424-57, reads:

"1. In a residence district the proposed 'Parking & storage of motor vehicles' is contrary to Sect. 3, Art. II Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 160.34 feet in depth; that it is proposed to use the vacant space for the storage of more than five motor vehicles of the passenger type, in addition to the five car motor vehicle garage, for which a Certificate of Occupancy has been issued; that the curb is already cut; and

WHEREAS, the applicant states that on the front of the plot is a two story and basement frame multiple dwelling, which was erected a long time ago as a one family residence; that the record of its erection is unknown; that the building was altered under Alt. Applic. No. 951 of 1892, but was still classified as a one family dwelling; that Fuel Oil Applic. No. 360 of 1934 was approved for installation of a 550 gallon oil tank and the occupancy was given as a two family dwelling; that under approved N.B. Applic. No. 2357 of 1928 a Certificate of Occupancy for a five car brick garage was issued December 26, 1929; that the front building was changed to a three family multiple dwelling under B.N. Applic. No. 230 of 1943; that the owner at that time was Mrs. A. R. Maclerio; and

WHEREAS, the applicant contends that the present owner has had many requests by people in the neighborhood for car space in the lot; that she rented out space for additional cars and received a summons from the License Department; that the Court fined her \$15 and she has removed the excess cars; that with the enforcement of alternate parking, the people in this area have a very difficult problem finding parking space for their cars; and

WHEREAS, the applicant states that the present owner has held title to the property since August 1, 1949; that the assessed valuation of land is \$13,000 and of the building \$3,000 making a total of \$16,000; that the building was erected prior to 1892; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the premises where unbuilt upon to be occupied for the parking of motor vehicles, as indicated on plans filed with this application, marked "Received June 25, 1957", 3 sheets and "November 3, 1958", 1 sheet, including the permissible use of the five existing garages at the rear, *on condition* that the fences shall be maintained on the lot lines and a metal gate at the building line shall be maintained; that all persons parking cars shall be furnished with a key to the gate so that the gate can be kept closed and locked; that signs shall be restricted to one sign attached to the fence at the entrance, advertising the parking and storage use, rates charged and such other information as the Commissioner of Licenses may require; that during the term of this variance the premises shall be used for no other use than the residence purposes now existing and the parking herein permitted; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution and that a new Certificate of Occupancy shall be obtained.

633-57-BZ

APPLICANT—Fred C. Dahlem, and Victor E. Block, for Morice Haymes, owner.

SUBJECT—Application August 5, 1957—decision of the Borough Superintendent under section 7h of the Zoning Resolution, to permit in a residence and business use district, the extension of the existing parking lot for the storage of more than five (5) motor vehicles located on the business use portion of the premises into the residence use portion.

PREMISES AFFECTED—4435-4439 Broadway and 201-207 Bennett Avenue, northwest corner, Block 2180, Lots 500, 502 and 503, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem and Victor E. Block.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958, after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and West 190th and West 192nd Streets are in a residence and business use, B area and class 1½ height district; Bennett Avenue is in a residence use, B area and class 1½ height district; Broadway is in a business use, B area and class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 11, 1957, acting on Alt. Applic. 602/57, reads:

"(1) The parking & storage of more than 5 motor vehicles, located partly in a business use district and

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partly in a residence use district, is contrary to Art. II Sec. 3, Zoning Resolution."

WHEREAS, the applicant states that the premises consist of a plot, 93.93 feet frontage by 200 feet in depth, and is occupied as parking and storage of more than five motor vehicles and also contains five one car metal garages and one metal frame building for the attendant on the Broadway front; that this portion of the premises, in a business district, was approved by the Department of Buildings Alt. 1848/50, C. of O. No. 38430; that the rear of these premises consist of another plot located in a residence district; that the land in this plot is protected by a retaining wall at West 190th Street and Bennett Avenue and are lower and cannot be entered except from Broadway; that it is proposed to use the rear residence portion for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the applicant contends that there is a great demand for off street parking in this area and the entire place is occupied; that the Department of Buildings filed a violation for using the residence portion—see Violation 28-57 attached to the papers; that the owner requests that the Board grant this variance to permit parking and storage in the residence portion to continue lawfully for a period of years; and

WHEREAS, the applicant states that the present owner has held title to the property since July 31, 1956; that the assessed valuation of the land is \$41,000 and of the building \$1,500, making a total of \$42,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the existing approved parking lot to be extended into the more restricted area, as proposed and shown on plans filed with this application, marked "Received August 5, 1957", 3 sheets and "November 5, 1958", 2 sheets, *on condition* that all buildings and uses now on the entire premises shall be removed and the premises leveled substantially to the grade of Broadway and arranged as indicated on such plans; that there shall be erected on all lot lines where masonry walls of existing buildings do not occur, a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches with no openings therein except one to Broadway, not over 15 feet in width with curb cut opposite of similar width; that during the term of this variance the premises shall be occupied for no other use and no building shall be erected thereon, except there may be a building complying with the requirements, erected near the entrance, not exceeding 100 square feet in area one story in height, to be occupied solely as an office and shelter for the attendant; that sidewalks and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that there may be a curb cut opposite the entrance on Broadway, not exceeding 15 feet in width; that against such fences and walls there shall be suitable bumpers maintained at all times for protection thereof; that the plot shall be surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that signs shall be restricted to one sign attached to the fence at the entrance advertising the parking and storage use and such other information as may be required by the Commission of Licenses; that such sign shall not exceed 10 square feet, shall not be illuminated nor extend beyond the building line; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

979-57-BZ

APPLICANT—Ruth H. Jaffe, owner.

SUBJECT—Application December 27, 1957—decision of the

Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, F-1 area district, the maintenance of a one family dwelling within the required setbacks.

PREMISES AFFECTED—7320 Avenue X, southwest corner of East 74th Street, Block 8460, Lot 30, Borough of Brooklyn.

APPEARANCES—

For Applicant: Ruth H. Jaffe.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 12, 1958 after due notice by publication in the Bulletin; laid over to November 18, 1958, applicant failed to give full notice to property owners; then to December 16, 1958 for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Avenue X, East 73rd Street, East 74th Street and Bergen Avenue are in a residence use, F-1 area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 5, 1957 acting on N.B. Applic. No. 240-54, reads:

"3. Survey shows bldg. encroaching upon required 15 ft. setback on each street within an F-1 area district, and violates Art. 4 Sect. 16A & 16a of zone resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 100 feet in depth; that it is proposed to permit in an F-1 area district, the maintenance of a one family dwelling within the required setbacks; and

WHEREAS, the applicant states that the building is set back 13 feet 2¼ inches from East 74th Street, so that it encroaches one foot, 9¾ inches into the required setback, and it is set back ten feet, 3¼ inches from Avenue X, so that it encroaches four feet 8¾ inches into the required setback; that the building is erected irregularly on the plot, thereby said encroachments exist only partially and not the full run of the building in length and width; and

WHEREAS, the applicant contends that an amendment dated July 22, 1954 changed this area from F to F-1, whereby setbacks were changed from ten foot to fifteen foot requirements; that she paid a five dollar fine for not having an approved survey, because of setbacks; that she pleads a hardship case because a Certificate of Occupancy cannot be obtained because of "No approved survey"; that banks refuse to give a mortgage without a Certificate of Occupancy; that at present, she is in drastic debt because of many personal loans to complete her home and is totally unable to pay taxes of \$735 per year and a "Notice of Possible Foreclosure" has already been sent if taxes are not paid by June 30, 1958; and

WHEREAS, the applicant states that she has held title to the property since January 8, 1952; that the assessed valuation of land is \$6,400 and of the building \$11,600 making a total of \$18,000; that the building was erected in 1955; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee noted that the location of the house on the plot is what causes the narrowness of the yard at two points but the average widths are more than what the law requires, and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty;

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the reduction of the yards at two points, where shown, on plans filed with this application marked "Received December 27, 1957, 4 sheets," on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

68-58-BZ

APPLICANT—William C. Kane, for James Lynch and Samuel Hirsch, owners.

SUBJECT—Application February 20, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a term of five years, the parking and storage of more than five passenger type, motor vehicles.

PREMISES AFFECTED—3051 Decatur Avenue, north side, 150 feet east of Mosholu Parkway North, Block 3332, Lot 78, Borough of The Bronx.

APPEARANCES—

For Applicant: William C. Kane.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East Mosholu Parkway North are in a residence use, C area, class 1¼ height district; Hill Avenue and Decatur Avenue are in residence and business use, C area, class 1¼ height districts; East 204th Street is in a business use, C area class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated January 22, 1958 acting on Alt. Applic. No. 1069-57, reads:

"1. The proposed use of the lot as a parking lot for more than 5 motor vehicles in a residence use district is contrary to Article II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 500 feet frontage by 110 feet in depth; that it is proposed to level off the plot and surface it throughout with cinders, treated with a binder; that a woven wire fence, 5 feet 6 inches high will be erected on the lot lines, with a single entrance consisting of two 6 foot wide gates and a single curb cut 10 feet wide, with 2 foot splays; and

WHEREAS, the applicant states that the site is surrounded by multi-story apartment houses, none of which have parking facilities; that a check of the affected area was made and disclosed that there are more than 1000 families in that area; that there are private garages for 31 motor vehicles; that a public garage and parking lots on the southern portion of the affected area can take care of less than 265 motor vehicles; that day and night, the public streets of the entire area are lined with motor vehicles; and

WHEREAS, the applicant contends that additional parking facilities are vitally necessary in the area and the proposed use of the site for the parking and storage of passenger type motor vehicles will help to alleviate the serious condition that exists; and

WHEREAS, the applicant states that the present owners have held title to the property since September 17, 1957 and that the assessed valuation of land is \$9,000. and ...

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied for the parking and storage of motor vehicles of the pleasure-car type only, substantially as proposed and indicated on plans filed with this application marked, "Received February 20, 1958," 1 sheet, and "Received August 13, 1958," 3 sheets, on condition that all uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Decatur Avenue and surfaced with clean gravel or steam cinders and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches, except for opening to Decatur Avenue; that such fence may be omitted where walls of adjoining buildings occur on the lot line; that curb cuts shall be restricted to one curb cut for entrance and exit to Decatur Avenue not over 10 feet in width; that the opening to Decatur Avenue for entrance and exit shall be fitted with gates; that sidewalks and curbing abutting the premises shall be reconstructed and repaired to the satisfaction of the Borough President; that bumpers shall be maintained against the fence for protection thereto; that signs shall be restricted to a single sign attached to the fence at the entrance, advertising the parking and storage use and the rates charged and other information as may be required; that such sign shall not be illuminated and shall not extend beyond the building line and shall not exceed 5 square feet; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

188-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of one ten-story apartment house occupying a greater floor area than permitted.

PREMISES AFFECTED—4901 Henry Hudson Parkway West, southwest corner of West 249th Street, Block 3419, Lot 91, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Gilbert Kerlin.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 27, 1958 for inspection and decision; hearing closed; laid over, date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving

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all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; and

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, at the request of an objector; then to December 16, 1958, for applicant to file statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, West 248th Street, Arlington Avenue, Henry Hudson Parkway and West 249th Street are in a residence use, F-1 area, Class 1 height district; that on January 25, 1916 the premises was in an E area district; that it was rezoned from an E to an F area district on March 28, 1924, and it was rezoned from an F to an F-1 area district on January 14, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated October 23, 1958 acting on amendment to N.B. Applic. No. 1248-53, reads:

"A-2. Proposed 1—10 story & cellar fireproof Class 'A' Multiple Dwellings will exceed the floor area ratio permissible in an F-1 area district and contrary to Sec. 16-A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 368.82 feet frontage by 454.17 feet in depth, irregular in area, presently vacant; that it is proposed to erect one 10-story apartment house occupying a greater floor area than permitted in an F-1 area district; and

WHEREAS, the applicant states that the premises is in a residence use district; that the use district provisions of the Zoning Resolution permit the proposed apartment house occupancy; that similarly, the premises is in a class 1 height district, and the height district provisions of the Zoning Resolution permit the erection of structures of the height herein proposed; that the only question before the Board is that the floor area proposed herein is in excess of that permitted in an F-1 area district, as follows:

Area of Plot	191,324 square feet
Permitted Floor Area	
Coverage (0.75 x Area)	98,493 square feet
Proposed Floor Area Coverage	
(One 10-story building	110,098 square feet
@ 11,009.8 sq. ft. per floor)	
Excess Floor Area	11,605 square feet
Floor Area Coverage	
Permitted in F zone (Former	
Zone)	213,718 square feet
Proposed Floor Area Less	
Than Area Previously Per-	
mitted	103,620 square feet

and

WHEREAS, the applicant further states that the owner is not a speculative builder; that Alfred Kaskel, the principal stockholder, is one of the leading investment builders of apartment houses in New York City; that these premises were studied carefully by his organization for many years, and costs were minutely analyzed by a staff of architects, engineers and accountants; that the area district zoning was an integral part of the analysis and careful inquiries were made at the City Planning Commission at all times when this study was being made; that there was no pending zone change at the time of purchase of these premises; and

WHEREAS, the applicant also states that the owner became the equitable owner of these premises by contract to purchase on October 26, 1953 and acquired title on February 5, 1954; that Ronor Realty Corporation is an affiliate of the present owner; that on October 26, 1953 Ronor entered into a contract for the purchase of these premises for the sum of \$240,000; that the contract was a firm contract and it

contained no provision for cancellation; that \$10,000 was paid on the signing of contract and the contract was assigned to the present owner; that on October 27, 1953 application was made to the FHA for site acceptance in connection with the proposed construction of apartment houses; that on October 20, 1953 Warren George, a Soil Engineer, was engaged to make tests and borings; that in October, 1953 Albert Wheeler, a Soil Engineer, made a topographical survey; that however, in August or September, 1953 he had commenced to study the sewer system; that plans for the sewer system were completed on December 23, 1953, by L. Gray, P.E.; that on October 27, 1953 Philip Birnbaum, R.A., commenced preparation of plans and Jacob Spoon, a Site and Land Planning Architect, was engaged in connection with the proposed construction; that on October 9, 1953 Dr. Jacob Feld, a Structural Engineer, was retained and Charles Wurmfeld, a Mechanical Engineer, was retained; that on November 18, 1953 the owner filed with the Department of Buildings; that an Excavation Permit was obtained on December 16, 1953 and Foundation Plans were filed on January 5, 1954 and approved on January 8, 1954; and

WHEREAS, the applicant further states that on January 25, 1916, when the Zoning Resolution became effective, the premises was in an E area district; that the proposed floor area is considerably less than would be permitted in an E area district; that the area district zone was changed to F on March 28, 1924; that the proposed floor area is less than would be permitted in an F area district; that the area district zone was changed to F-1 on January 14, 1954; that this application for a variance is filed under Section 21 of the Zoning Resolution, since this Section is the only basis under which the Board is empowered to vary the area district provisions of the Zoning Resolution; that there are practical difficulties and unnecessary hardships in the way of carrying out the strict letter of the provisions of the Zoning Resolution; and

WHEREAS, the applicant states that the history of the last area district change played an integral part of the previous Court action and is briefly set forth as follows: that on November 13, 1953 notice of public hearing before the City Planning Commission was first published in the City Record; that on January 6, 1954 the City Planning Commission adopted the change, and on January 14, 1954 the area zone was changed from F to F-1; that Riverdale Community Planning Association, Inc. v. Crinnion was an action affecting these premises, commenced to enjoin the owner from proceeding with the construction of certain apartment buildings on the ground that the buildings would not conform to the area district zoning regulations; that the principal question before the Court was whether the owner obtained vested rights by reason of excavation and foundation permits obtained before the change of zone from F to F-1 became effective; that this application is not based on the question of vested rights under the permits previously issued to the owner; that if the owner had clearly defined vested rights, then the permits and approvals it had obtained would be sufficient and there would be no need for this application to the Board for an exercise of its power to vary the provisions of the Zoning Resolution; that the Board has the power to vary the area district regulations under Section 21 of the Zoning Resolution; that if the Board did not have the power to vary under Section 21, then the area district provisions of the Zoning Resolution would be unconstitutional; that the decision of Mr. Justice Nathan in the aforementioned Supreme Court action states that it was the opinion of the Court that the owner herein "is held to have been the owner for all the purposes of this action"; that in the prior Supreme Court action it was conceded by all the parties that at the time the owner became the equitable owner of these premises, it did in fact intend to build large F apartment houses, and did in fact believe it would be permitted to build such buildings; that it was also conceded that prior to November 13, 1953, when the first notice of the pending change appeared in the City Record, the owner, or its affiliates, had engaged surveyors, architect and engineers to make surveys, prepare plans, make test borings and the like; that it was conceded as a fact that all of the work so undertaken before

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November 13, 1953 was undertaken in the confident expectation that the property would retain its F zoning and the proposed buildings could be completed; and

WHEREAS, the applicant further states that the owner was unsuccessful in the previous Court action; that the decision of the Court, based on all of the proof offered by the litigants, leads to the conclusion that the owner failed to obtain sufficient vested rights to enable him to complete construction as planned; that it becomes obvious, after a study of the facts and testimony, that the owner failed to establish these rights by a very few days; that the time factor was so close that even the Borough Superintendent of the Department of Buildings believed that the owner had obtained these vested rights, and stated in his letter of January 25, 1954, as follows:

"Since the earliest date on which the resolution of the Board of Estimate can be considered effective is January 14, 1954, and the operations on the erection of the proposed building started prior to the change in zone, the erection of the building complies with the provisions of Section 22-B of the Zoning Resolution.

"In the action brought by the Riverdale Community Planning Assoc. Inc. v. Crinnion and Riverdale Realty Company, Justice Brisach granted the motion to dismiss the complaint requested by the Riverdale Realty Company and in his decision stated the permits were issued 'in accordance with the law' and 'in good faith.'

"I understood Supreme Court Justice Brisach to say in court January 15, 1954, during the oral argument concerning your action for a temporary injunction that anyone with a contract for the purchase of real estate with possession had all the rights and privileges of an owner in fee; also, I feel that the affidavit of Harry J. Haback shows the Riverdale Realty Company to be a vendee in possession and within the definition of 'owner' as defined in Section C26-103.0 of the Administrative Code;"

and

WHEREAS, the applicant states that based on these facts, which all are conceded and admitted in the records of the previous Court action, the owner's hardship becomes obvious; that the owner now may construct buildings of one-half of the floor area previously permitted; and

WHEREAS, applicant states that the present owner has held title to the property since February 5, 1954; that the assessed valuation of land is \$86,500 and of the building \$3,500 making a total of \$90,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board has considered this application solely as a matter of variance; and

WHEREAS, joint hearings were held as to 188-58-BZ and 189-58-BZ; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on amendment to NB 1248/53, objection No. A-2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

189-58-BZ

APPLICANT—Leonard F. Rothkrug, for Riverdale Realty Co., Inc., owner.

SUBJECT—Application March 26, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an F-1 area district, the erection of two ten-story apartment houses occupying a greater floor area than permitted.

PREMISES AFFECTED—4675-4705 Henry Hudson Parkway, northwest corner of West 247th Street, Block 3419, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: Gilbert Kerlin.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on June 27, 1958 for inspection and decision; hearing closed; laid over, date for decision to be determined; now set for July 29, 1958; then to September 23, 1958, for further consideration by the Board; each side may file a reply by briefs only; then to October 7, 1958, for decision; applicant permitted to file reply brief by October 2, 1958; then to October 15, 1958, at the joint request of the applicant and objector and to permit filing of additional brief; and for decision; then to October 21, 1958, at request of the applicant, for possible amendment of application after discussion with objectors; hearing previously closed; no further adjournments; then on October 22, 1958, the Board accepted revised plans for continuation of the hearing in connection with said revised plans, subject to regular procedure, waiving all requirements, except a new decision of the Borough Superintendent, new plans and corrected list of owners, if necessary, and notice in accordance with regular procedure, registered mail, to affected property owners; hearing date to be set by the Examiner after the material has been properly submitted; and

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 2, 1958, at the request of an objector; then to December 16, 1958, for applicant to file revised statement of area coverage with property in the bed of street included, and similar statement with property in bed of street excluded, and for further consideration and decision; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, West 247th Street, Arlington Avenue, Henry Hudson Parkway and West 248th Street are in a residence use, F-1 area, class 1 height district; that on January 25, 1916 the premises was in an E area district; that it was rezoned from E to F area district on March 28, 1924, and rezoned from F to F-1 area district on January 14, 1954; and

WHEREAS, the decision of the Borough Superintendent, dated October 23, 1958 acting on amendment to N.B. Applic. No. 1247-53, reads:

"A-2. Proposed 2-10 story & cellar Fireproof Class 'A' Multiple Dwellings will exceed the floor area ratio permissible in an F-1 area district and contrary to Sec. 16-A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 472 feet frontage by 364.77 feet in depth, irregular in area, presently vacant; that it is proposed to erect two 10-story apartment houses occupying a greater floor area than permitted in an F-1 area district; and

WHEREAS, the applicant states that the premises is in a residence use district, and the use district provisions of the Zoning Resolution permit the proposed apartment house occupancy; that similarly, the premises is in a class 1 height district and the height district provisions of the Zoning Resolution permit the erection of structures of the height herein proposed; that the only question before the Board is

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that the floor area proposed herein is in excess of that permitted in an F-1 area district, as follows:

Area of Plot	186,636 square feet
Permitted Floor Area Coverage (0.75 X Area)	139,977 square feet
Proposed Floor Area Coverage (Two-10 story buildings at 11,009.5 Sq. Ft. per floor)	220,190 square feet
Excess Floor Area	80,213 square feet
Floor Area Permitted in F district (Former Zone)	305,817 square feet
Proposed Floor Area Less Than Area Previously Permitted	85,627 square feet

and

WHEREAS, the applicant states that the owner is not a speculative builder; that Alfred Kaskel, the principal stockholder, is one of the leading investment builders of apartment houses in New York City; that these premises was studied carefully by his organization for many years and costs were minutely analyzed by a staff of architects, engineers and accountants; that the area district zoning was an integral part of the analysis and careful inquiries were made at the City Planning Commission at all times when this study was being made; that there was no pending zone change at the time of purchase of these premises; and

WHEREAS, the applicant further states that Alfred Kaskel is the principal stockholder of the present corporate owner; that on November 25, 1952, almost one year before the first notice of a zone change appeared in any public record, Kaskel entered into a contract with Walter E. Kelley for the purchase of these premises for the sum of \$210,000, and in accordance with the usual custom and practice of realty developers, the present corporation was incorporated on February 4, 1953 and the contract to purchase was assigned to the corporation by Kaskel; that on February 15, 1953 title to Lot No. 1 was conveyed to the corporation; that the premises was carefully studied by the owner and its engineers and on August 13, 1953 application was made to the FHA for site acceptance in connection with the proposed construction of two 10-story apartment houses; that on September 27, 1953 Warren George, a Soil Engineer, was engaged to make tests and borings in connection with the apartment house construction; that on February 4, 1953 Albert Wheeler, a Civil Engineer, was engaged to make a topographical survey and in August or September of 1953, he was engaged to study the sewer system; that plans for the sewer system were completed on December 23, 1953 by L. Gray, P.E.; that on October 5, 1953 Philip Birnbaum, R.A., commenced preparation of plans, and Jacob Spoon, a Site and Land Planning Architect, was hired; that on October 27, Dr. Jacob Feld, a Structural Engineer, was engaged, and Charles Wurmfeld, a Mechanical Engineer, was also hired; that on November 18, 1953 the owner filed with the Department of Buildings, and an Excavation Permit was obtained on December 16, 1953; that foundation plans were filed on December 29, 1953 and were approved on January 5, 1954; that a Foundation Permit was issued on January 5, 1954; that the site was cleared and excavations were started on December 28, 1953; that on January 11, 1954 an Order to Show Cause was served in the Supreme Court action; that more than 50 percent of the required excavation work was completed, large amounts of rock were removed by blasting and a greenhouse and portions of a dwelling on Lot No. 1 had been demolished; that the earth forms, for the pouring of concrete on the excavated portion of the plot, were ready for pouring and the concrete sub-contractor had his equipment on the lot; that also on the plot were bulldozers, rock breakers, steam shovels, cranes, compressors and numerous other pieces of equipment; and

WHEREAS, the applicant states that on January 25, 1916, when the Zoning Resolution became effective, the premises was in an E area district; that the proposed floor area is considerably less than would be permitted in an E area district; that the area district zone was changed to F on March 28, 1924; that the proposed floor area is less than would be

permitted in an F area district; that the area district zone was changed to F-1 on January 14, 1954; that this application for a variance is filed under Section 21 of the Zoning Resolution, this Section being the only basis under which the Board is empowered to vary the area district provisions of the Zoning Resolution; that there are practical difficulties and unnecessary hardships in the way of carrying out the strict letter of the provisions of the Zoning Resolution; and

WHEREAS, the applicant further states that the history of the last area district change played an integral part of the previous Court action and is briefly set forth as follows: that on November 13, 1953 notice of public hearing before the City Planning Commission was first published in the City Record; that on January 6, 1954 the City Planning Commission adopted the change, and on January 14, 1954 the area zone was changed from F to F-1; that Riverdale Community Planning Association, Inc. v. Crinnion was an action affecting these premises, commenced to enjoin the owner from proceeding with the construction of certain apartment buildings on the ground that the buildings would not conform to the area district zoning regulations; that the principal question before the Court was whether the owner obtained vested rights by reason of Excavation and Foundation Permits obtained before the change of zone from F to F-1 became effective; that this application is not based on the question of vested rights under the permits previously issued to the owner; that if the owner had clear, defined vested rights, then the permits and approvals it had obtained would be sufficient and there would be no need for this application to the Board for an exercise of its power to vary the provisions of the Zoning Resolution; that the Board has the power to vary the area district regulations under Section 21 of the Zoning Resolution; that if the Board did not have the power to vary under Section 21, then the area district provisions of the Zoning Resolution would be unconstitutional; that the decision of Mr. Justice Nathan in the aforementioned Supreme Court action states that it was the opinion of the Court that the owner herein "is held to have been the owner for all the purposes of this action"; that in the prior Supreme Court action it was conceded by all the parties that at the time the owner became the equitable owner of these premises, it did in fact believe it would be permitted to build such buildings; that it was also conceded that prior to November 13, 1953, when the first notice of the pending change appeared in the City Record, the owner, or its affiliates, had engaged surveyors, architects and engineers to make surveys, prepare plans, make test borings and the like; that it was conceded as a fact that all of the work so undertaken before November 13, 1953 was undertaken in the confident expectation that the property would retain its F zoning and the proposed buildings could be completed; and

WHEREAS, the applicant states that the owner was unsuccessful in the previous Court action; that the decision of the Court, based on all of the proof offered by the litigants, leads to the conclusion that the owner failed to obtain sufficient vested rights to enable him to complete construction as planned; that it becomes obvious, after a study of the facts and testimony, that the owner failed to establish these rights by a very few days; that the time factor was so close that even the Borough Superintendent of the Department of Buildings believed that the owner had obtained these vested rights and stated in his letter of January 25, 1954, as follows:

"Since the earliest date on which the resolution of the Board of Estimate can be considered effective is January 14, 1954, and the operations on the erection of the proposed building started prior to the change in zone, the erection of the building complies with the provisions of Section 22-B of the Zoning Resolution.

"In the action brought by the Riverdale Community Planning Assoc. Inc. v. Crinnion and Riverdale Realty Company, Justice Brisach granted the motion to dismiss the complaint requested by the Riverdale Realty Company and in his decision stated the permits were issued 'in accordance with the law' and 'in good faith'."

and

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WHEREAS, the applicant contends that based on these facts, which all are conceded and admitted in the Court records of the previous Court action, the owner's hardship becomes obvious; that the owner now may construct buildings of one-half of the floor area previously permitted; and

WHEREAS, the applicant states that the present owner has held title to the property since February 13, 1953; that the assessed valuation of land is \$112,000 and of the building \$8,000 making a total of \$120,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board has considered this application solely as a matter of variance; and

WHEREAS, joint hearings were held as to 188-58-BZ and 189-58-BZ; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on amendment to N.B. App. 1247-53 Objection No. A-2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

193-58-BZ

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano, for Bessie Samuelson, doing business as Eldorado Furniture Store, owner.

SUBJECT—Application April 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit on a lot located partly in a business and partly in a residence use district, the extension of an existing retail store.

PREMISES AFFECTED—860 Longwood Avenue, south side, 147.26 feet east of Prospect Avenue, Block 2688, Lot 50, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Hewitt Place and Macy Place are in business and residence use, B area, class 1½ height districts; Prospect Avenue and Longwood Avenue are in a business use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 19, 1958 acting on Alt. Applic. No. 1128-57, reads:

"2. Proposed extension of the one story retail store building into the residence portion of the lot is contrary to Art. 2, Sect. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 76.16 feet frontage by 150 feet in depth, irregular, on which is located a one story building erected prior to 1919, the earliest record being Existing Building 1919 dated November 10, 1919 for a factory for 25 employees and occupied under Certificate of Occupancy No. 22783 issued November 22, 1957 after completion of work under Alt. Applic. No. 1111-56 as stores; that it is proposed to extend the existing building by a rear, one story extension, into the residence use district portion of the plot; and

WHEREAS, the applicant states that the plot has *not* been increased in area and is the same shape and dimensions

since prior to 1916, when the Zoning Resolution became effective; that when the Zoning Resolution became effective, it divided the plot so that the front 100 feet is in a business use district and the rear 100 feet is in a residence use district; that the subject tax block is greater than 200 feet in width, the average width of a tax block, and the entire tax block is fully developed; and

WHEREAS, the applicant contends that a grant of this application will not adversely affect any of the surrounding property owners; that the only portion of the premises in the residence zone is at the rear of the plot; that there are concrete block and stone walls along the side and rear lot lines; that the rear portion of the plot can best be improved as proposed, thereby eliminating an unsupervised area where trash and debris is easily accumulated; that no openings or business entrances, signs or other evidence of the retail use will be in the residence zone; that the proposed extension conforms with the area district requirements; that no portion of the lot located in the residence use district shall be used for any commercial purposes; and

WHEREAS, the applicant states that the present owner has held title to the property since December 27, 1957; that the assessed valuation of land is \$34,000 and of the building \$31,000 making a total of \$65,000; that the building was erected prior to 1919; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the extension of the building as proposed into the more restricted district, as indicated on plans filed with this application, marked "Received April 2, 1958", 4 sheets, and "December 11, 1958," 1 sheet, *on condition* that the proposed extension shall not exceed one story in height; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

208-58-BZ

APPLICANT—Henry Nordheim, for John Broderick, owner.

SUBJECT—Application April 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for a stated term of five (5) years.

PREMISES AFFECTED—26-30 Marble Hill Avenue, east side, 231 feet, 8½ inches north of West 225th Street, Block 2215, Lot 540, Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph O'Mara.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert,

Commissioner Foley and Commissioner Sleeper..... 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, D area,

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class 1 height district; Marble Hill Avenue and Marble Hill Lane are in residence and business use, D area, class 1 height districts; Broadway and West 225th Street are in a business use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 28, 1958 acting on Alt. Applic. No. 310-58, reads:

"1. Proposed parking and storage of motor vehicles in a residence use district is contrary to Article II, Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 63.5 feet frontage by 100 feet in depth; that it is proposed to fill to a level as shown on plan showing retaining walls at rear and on both side lot lines; that after filling the lot it will be surfaced with steam cinders, rolled and oiled; and

WHEREAS, the applicant contends that photographs two and three bear adequate proof why a parking lot is needed in this street and as a matter of fact any argument why a parking lot should be permitted seems almost superfluous in view of street conditions, and these conditions are worse in residential streets where it is common for some cars not to move from Sunday night until the following Saturday morning; and

WHEREAS, the applicant states that the present owner has held title to the property since November 23, 1957 and that the assessed valuation of land is \$10,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 310-58, Objection No. One be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

235-58-BZ

APPLICANT—Anthony T. Nappi, for Sheepshead Bay Boys' Club, Inc., owner.

SUBJECT—Application April 16, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a residence use, D area district, the erection of a one story and basement building for use as a Boys' Club, the proposed building exceeds the permitted area coverage.

PREMISES AFFECTED—2758-2760 East 27th Street and 3605-3619 Shore Parkway, northwest corner, Block 7499, Lot 29, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug and Anthony P. Nappi.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper... 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Shore Parkway, East 27th Street, Voorhies Avenue and East 26th Street are in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 31, 1958 acting on N.B. Applic. No. 321-58, reads:

"1. Proposed bldg. exceeds area for a 'D' area dis-

trict and violates Art. 4 Sect. 14c of Zone Resolutions."

and

WHEREAS, the applicant states that the premises consists of a plot, 48 feet frontage by 133 feet in depth, irregular, presently vacant; that it is proposed to erect a one story and basement building, 23 feet high, of class 3 construction, to be used as a Boys' Club; and

WHEREAS, the applicant states that the area of the plot is 6384 square feet, the proposed building area is 5880 square feet and the excess area is 1619 square feet; that it is a hardship for the owner to construct this building in strict accordance with the Zoning Resolution; that at the time this plot was purchased in 1949, for the construction of modern and attractive accommodations for teen-age boys, the site was considered adequate for the program of activities then in use; that however, with the increase in population in the neighborhood and the tremendous demands put on Boys' Clubs in this City, the board of directors feel that the drawings as submitted will meet the minimum requirements of the neighborhood; and

WHEREAS, the applicant contends that the building is to be constructed and owned by the Sheepshead Bay Boys' Club, Inc., a non-profit New York (incorporated) organization for training of boys in the crafts, and providing supervised recreation facilities for the boys of the neighborhood; that the present quarters of the club at 2812 East 28th Street, Sheepshead Bay, an old converted barn, is now too small to take care of the hundreds of boys who need, and want the club's facilities; that the proposed clean, modern building is urgently needed to carry on the work of the Club; and

WHEREAS, the applicant states that the present owner has held title to the property since 1949 and that the assessed valuation of land is \$4,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board which recommended that the application be granted as to extension of area; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 as to area, to permit the construction of the building as proposed and as indicated on plans filed with this application, marked "Received April 16, 1958," 5 sheets and "November 7, 1958," 1 sheet, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the building is occupied for the use proposed; that the unbuilt upon space shall be suitably landscaped and fences provided on all interior lot lines; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

251-58-BZ

APPLICANT—Michael Alfano, for Beaumont Parking, Inc., owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, the use of vacant plot for a parking lot for the parking and storage of more than five (5) motor vehicles, pleasure type, for a stated term of five (5) years.

PREMISES AFFECTED—2446-2450 Beaumont Avenue, east side, 238.57 feet south of East 189th Street and 2445-2449 Crotona Avenue, Block 3105, Lot 17, Borough of The Bronx.

APPEARANCES—

For Applicant: Frank Damiano.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and East 187th Street are in a residence use, B area, class 1¼ height district; Beaumont Avenue and Crotona Avenue are in retail and residence use, B area, class 1¼ height districts; East 189th Street is in a retail use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated October 21, 1958 acting on Alt. Applic. No. 236-58, reads:

"1. In a residence district the proposed parking of motor vehicles is contrary to Sec. 3 Art. II Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot, 66.75 feet frontage by 154.83 feet and 170 feet in depth, irregular, presently vacant; that it is proposed to surface the lot with gravel or steam cinders and provide access to plot over a proposed curb cut on Beaumont Avenue side; that no access will be provided from Crotona Avenue side; that all lot lines of plot will be fenced in by a chain link fence 4 feet in height, with a 12 foot wide opening provided with gates on the Beaumont Avenue side; and

WHEREAS, the applicant states that the need of a parking lot in this neighborhood to relieve the congested street parking is an urgent one; that the existing street parking not only prevents the proper cleaning along the curb, but is also a fire hazard; that the plot is located in an apartment house neighborhood, where week long parking is prevalent; that many cars are parked from Sunday night to Saturday morning; that a sign, advertising the parking and storage use and rates charged, will not exceed 10 square feet; and

WHEREAS, the applicant contends that the limitation of the term of use to five years will serve as a protection to the future of the neighborhood in the event its present character should change; and

WHEREAS, the applicant states that the present owner has held title to the property since February 20, 1958 and that the assessed valuation of land is \$16,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h for a term of five years to permit the premises to be occupied for the parking and storage of motor vehicles limited to those of the pleasure car type as proposed and as indicated on plans filed with this application marked "Received April 23, 1958", 3 sheets, on condition that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Beaumont Avenue and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that on all lot lines there shall be a woven wire fence of the chain link type on a concrete base, not less than five feet six inches in total height with no openings therein except one to Beaumont Avenue for entrance and exit not exceeding ten feet in width with curb cut opposite of similar width; that during the term of this variance the premises shall be occupied for no other use; that parking spaces shall be assigned

to tenants, who shall be furnished with a key for locking and unlocking the gate in the fence; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that suitable bumpers shall be maintained for protection against the fences; that such fences may be omitted where masonry walls of adjoining buildings occur on the lot lines; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

262-58-BZ

APPLICANT—Anthony T. Nappi, for Frank P. Balsamo, owner.

SUBJECT—Application April 25, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D area district, the erection of a one story extension to an existing two-story structure that exceeds the permitted area coverage.

PREMISES AFFECTED—5116-5118 Avenue N, south side, 40 feet west of East 52nd Street, Block 7896, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958, after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Avenue N are in a business use, D area, class ½ height district; East 51st Street and East 52nd Street are in business and residence use, D and E-1 area, class ½ height districts; Avenue O is in a residence use, E-1 area, class ½ height district; that the use and area district designations have not been changed since July 25, 1916; that as of July 25, 1916 the site was zoned as a one times height district and on August 25, 1955 the present height designation became effective; that no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated April 24, 1958 acting on Alt. Applic. No. 1290-58, reads:

"1. The area of the structure as proposed exceeds that permitted by Sect. 14, Art. IV of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet frontage by 100 feet in depth, presently occupied with a class 3 building, two story and cellar in height, occupied as follows: first floor—restaurant; second floor—one family—owner's apartment; cellar—storage and boiler room; that it is proposed to construct a one story extension, 13 feet 4 inches in height, occupying area in excess of that which is permitted for a D area district; and

WHEREAS, the applicant states that the area of the plot is 4,000 square feet; area of present building is 1,330 square feet; area of proposed extension is 2,670 square feet; excess area is 1,202 square feet; and

WHEREAS, the applicant contends that it is a hardship for the owner to adhere to the requirements of the Zoning Resolution; that he has conducted a restaurant in the existing building continuously since 1944, and he now finds it necessary to expand his business in order to meet competition and stay in business; that in order to accomplish this he purchased the easterly 20 feet of site and lot No. 51, at the rear of site, in 1957 at great expense; that the construction of the proposed extension will not obstruct the light and air of any property on the block; that lots 45 and 48,

MINUTES

contiguous with the site on the west and east respectively, are built to the lot lines and have no windows facing the site; that lot 51, at the rear of the site, is owned by the same owner; that lots 40 and 43 in block 7896, on the same block with the site, are built the full depth; and

WHEREAS, the applicant states that the present owner has held title to the property since September 5, 1944 and June 20, 1957; that the assessed valuation of land is \$4,000 and of the building \$7,500 making a total of \$11,500; that the building was erected in 1925; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; that the lot adjoining Lot 51 is owned by the same owner; the committee recommends that the building should not go to the full depth of the lot; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the construction of a building on Lot 46 as an addition to the existing building and for conjunctive use provided such proposed building is not constructed within 5 feet of the rear lot line; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that suitable fencing shall be maintained at the rear lot and side lines to the proposed building; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

270-58-BZ

APPLICANT—Tom Cannito, owner.

SUBJECT—Application May 1, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district, on a plot occupied with a one story dwelling and accessory 3 car garage, the use of the garage for two trucks and one pleasure car for a temporary period of two years.

PREMISES AFFECTED—57-06 Clover Place, northeast corner of 57th Street, Block 3730, Lot 1, Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Vito R. Battista and Mr. and Mrs. Tom Cannito.

For Opposition: None.

ACTION OF BOARD—Application denied

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioner Kleinert,
Commissioner Foley and Commissioner Sleeper..... 4
Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin, laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 57th Street are in a residence use, C area, class 1 height district; Clover Place is in residence and retail use, C area, class 1 height districts; Cypress Avenue is in a retail use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated October 29, 1958 acting on Alt. Applic. No. 2300-56, reads:

"1. The proposed change of use of existing 3 car garage as accessory to an existing dwelling to a 2 car garage, for business use of 2 trucks and one pleasure car which is not an accessory use to the dwelling in a resi-

dence zone is contrary to Art. II, Sec. 3 & Sec. IV Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth; that it is proposed to store two trucks and one pleasure car inside of said garage; that all three vehicles belong to the owner of premises; that owner will keep the doors closed at all times, including Sundays and holidays, change the clear glass in the overhead doors to opaque glass so the trucks will not be visible to anyone and keep garage heated in winter; and

WHEREAS, the applicant states that to the north said garage adjoins the Cypress Avenue business use district, and on Cypress Avenue a two-car garage abuts the side of said garage; that to the east there is a six-car, 1½ story frame garage and loft which abuts the rear of said garage; that to the west, across the street at the southwest corner of Cypress Avenue and Clover Place, there is a plot for the sale of used trucks; that to the south the brick residence of the owner, which is at a higher elevation and is on the same plot as said garage, blocks off the view of the garage entrance; that said garage has two separate overhead doors, one for the two trucks and the other for the owner's car; and

WHEREAS, the applicant contends that this request is *not* being made for a permanent change of use for the entire building, but is merely a request for a two year temporary use for part of a garage, which use would involve no physical changes whatsoever; that the used trucks which are parked on the used car sales lot across the street are in constant view of the public, whereas the owner's two trucks would pass only twice a day—once going in and once coming out—and will not be visible at other times; that the owner lives on the premises and he stores his pleasure car in the same garage; that his own home had just been completed at a cost of \$20,000; that there would be no physical changes to the existing garage and hence, the residential appearance of the premises would not be changed and the character of the neighborhood would not be affected in any manner; and

WHEREAS, the applicant states that the present owner has held title to the property since November 10, 1953; that the assessed valuation of land is \$3,000 and of the building \$12,500 making a total of \$15,500; that the building was erected in 1951; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. #2300/56, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

288-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Frank Puglisi, owner.

SUBJECT—Application May 8, 1958—decision of the Borough Superintendent, under sections 7e and 7A of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car-washing, store and utility room and parking of cars awaiting service for a stated term of fifteen (15) years with show windows and curb cuts within 75 feet of a residence use district.

PREMISES AFFECTED—860-862 Castle Hill Avenue and 2203-2211 Hermany Avenue, northeast corner, Block 3692, Lot 1, Borough of The Bronx.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Story Avenue and Hermany Avenue are in local retail and residence use, D area, class ½ height districts; Castle Hill Avenue is in a local retail use, D area, class ½ height district; Havemeyer Avenue is in a residence use, D area, class ½ height district; that as of July 25, 1916 the premises were in a class C area district and a class 1¼ height district and that part of the premises within 100 feet of Castle Hill Avenue was in a business use district; that on April 26, 1945 the present height district came into effect and the area district changed to a D-1 area district; that the present area designation became effective September 23, 1954 and the present use designation became effective on December 28, 1953; and

WHEREAS, the decision of the Borough Superintendent, dated May 7, 1958 acting on N.B. Applic. No. 82-58, reads:

"1. Proposed use gasoline service station, lubrication, minor auto repairs, car washing, store, utility room and parking of cars awaiting service in a lot partly within a local retail use district and partly within residence use district is contrary to Article II Sec. 4c & Sec. 3 of the Z.R.

2. Entrance to service station, show window and sign within 75 ft. of residence use district is contrary to Sec. 7A of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 103.07 feet frontage by 100 feet in depth, presently vacant; that it is proposed to erect a modern gasoline service station consisting of twelve approved type buried gasoline tanks and four dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction having a frontage of 44 feet and a depth of 27 feet 8 inches and will contain the conjunctive uses of lubritorium, minor auto repairs, car washing, store and utility room; that a portion of the open site, not required for the gasoline service station, will be reserved for parking of cars awaiting service; and

WHEREAS, the applicant contends that Castle Hill Avenue is a heavily trafficked auto lane and as such the proposal is entirely within keeping at this point; that the development of this site with a modern gas station will provide this area with a much needed and required automotive service; that there are sufficient stores within the area to meet the needs of the people in this neighborhood; that the stores in block 3685, lots 40, 41 and 43 are non-conforming uses within the affected area; that lot No. 11, to the east, is under the same ownership so that adjoining properties cannot be affected; and

WHEREAS, the applicant further contends that the show window and signs within 75 feet of the residence use district cannot possibly affect the residence use district, as the building is set 44 feet in from the Hermany Avenue building line; that 30 foot curb cut is required for proper operation of the service station; and

WHEREAS, the applicant states that the present owner has held title to the property since September 2, 1954 and April 25, 1955 and that the assessed valuation of land is \$11,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision e of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7e for a term of fifteen years to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received May 8, 1958", 4 sheets, on condition that all buildings and uses now on the premises shall be removed and the plot shall be leveled substantially to the grade of Castle Hill Avenue and Hermany Avenue and shall be constructed and arranged as indicated on plans above cited; that the accessory building shall have no cellar and shall be faced on all sides with face brick and shall comply in all other respects with the requirements of the Building Code; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line; that gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that where not built upon, the balance of the premises shall be paved with concrete or asphaltic pavement; that curb cuts shall be restricted to two curb cuts to Castle Hill Avenue each 30 feet in width and one to Hermany Avenue of similar width; that along the interior lot line there shall be erected a woven wire fence of the chain link type not less than five feet six inches in height including a masonry base and with suitable terminating posts at the building lines; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that under Section 7A any use considered contrary thereto may be permitted provided the requirements of this resolution are complied with; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, excluding all roof signs and advertising devices but permitting the erection within the intersection, where shown, of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet, at right angles to Castle Hill Avenue; that at such intersection there shall be erected a block of concrete extending for a distance of five feet along either street building line from the intersection and not less than twelve inches in height; that under Section 7e for a similar term there may be parking of cars provided such parking is maintained so as not to interfere with the servicing of the station; that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

332-58-BZ

APPLICANT—Frederick A. Ketcher, for Harry L. Erickson, owner.

SUBJECT—Application May 26, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit in a G-1 area district, an increase in occupancy of an existing one-family dwelling to a two-family dwelling.

PREMISES AFFECTED—47-08 162nd Street, west side, 40 feet, south of Laburnum Avenue, Block 5491, Lot 35, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Fred A. Ketcher.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; applicant to submit list of dwellings occupied by two families, whether legally or il-

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legally, within 150 feet of the subject site; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Laburnum Avenue, 161st Street, 162nd Street and Oak Avenue are in a residence use, G-1 area, class 1 height district; that there has been no change in the use and height district since 1916; that the area district was D from 1916 to May 13, 1954 at which time it was changed to G-1; and

WHEREAS, the decision of the Borough Superintendent, dated October 23, 1958 acting on Alt. Applic. No. 485-57, reads:

2. The proposed conversion of a one family dwelling into a two family dwelling on a lot in a G-1 area district is contrary to Sec. 16-c of the Z.R." and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet frontage by 100 feet in depth, occupied by a two and one half story building, occupied as a one family dwelling; that it is proposed to occupy the building for two families, with one family on the first floor and one family on the second floor; that the existing toilet on the first floor will be converted to a bath room, and a kitchen will be installed on the second floor; that the cellar stair enclosure will be fire retarded; and

WHEREAS, the applicant states that the plot is 4,000 square feet; that the first floor covers 25% and the second floor covers 16% of the plot; that 13 feet of side yards and 78 feet of rear yards separate the adjoining buildings; that there will be a five room apartment on the first floor and a three room apartment on the second floor; that there will be no change in the cellar occupancy, which is used for boiler room and storage, and there will be no change in attic occupancy which is used for ordinary storage; that there will be no change to the exterior of the building; and

WHEREAS, the applicant contends that the house is located in the panhandle of the Flushing area zoned G-1; that this small G-1 area is completely surrounded by area districts zoned for two families; that the new houses which were erected in 1957 along Laburnum Avenue are all two families; that it was obvious to the builders that it would be impossible to sell a one family house because local conditions dictated that some income had to be obtained from the new houses to help defray operating expenses; that the same principle applies to the subject premises; that the present owner realizes that in order to carry his home, some operating income is necessary as rising maintenance costs and taxes have placed a severe financial burden on him; that his carrying expenditures tally \$1,500 annually; that in the face of the newly constructed brick, two family houses across the street, and after carrying his home for thirty years, if he were compelled to sell this old-fashioned dwelling, it would be at an auction price; and

WHEREAS, the applicant further contends that although the building exudes the charm and slow tempo of the past generation, in today's market, this type of frame one family dwelling is considered by realtors to be outmoded, inefficient and obsolete; that there is no ready market for it among today's buyers; that however, the additional rent from the proposed three room apartment, would enable the owner to keep his home, maintain it and pay the taxes; that the granting of this application for this unobtrusive use would enable the owner to make reasonable and just use of his property; that the residential appearance of the premises and neighborhood will be retained and it would in no manner whatsoever affect any property owner adversely; and

WHEREAS, the applicant states that the present owner has held title to the property since April 2, 1927; that the assessed valuation of land is \$2,000 and of the building \$6,500 making a total of \$8,500; that the building was erected in 1927; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the applicant, as requested, furnished the Board with a plan showing houses in the area that are used for 2-family dwellings; and

WHEREAS, the Board found that the applicant had sub-

stantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the occupancy of the existing dwelling as two families, *on condition* that the building shall be altered so as to meet all the requirements for a two-family dwelling, as shown on plans filed with this application marked, "Received May 26, 1958," 9 sheets; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

360-58-BZ

APPLICANT — Aaron Halpern, for Karl Butterstein, owner.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, of an existing gasoline service station, the extension of the uses of miscellaneous service, lubricatory and garages to include minor repairs with hand tools only.

PREMISES AFFECTED—88-48 Myrtle Avenue, southeast corner of 88th Lane, Block 3870, Lot 115, Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Charles J. Stidolph.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating..... 1

THS RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Myrtle Avenue are a business use, D area, class 1 height district; 88th Lane and 89th Avenue are in a business and residence use, D and E area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated May 6, 1958 acting on Alt. Applic. No. 744-58, reads:

"1. The proposed change in use from gasoline service station, misc. service, lubricatory and Garages in a Bus. use district to a gasoline service station lubricatory, minor repairs with hand tools only and garages is contrary to Art. II Sec. 4(a) (29) Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 25 feet frontage by 100 feet in depth, upon which is located a building erected under N.B. Applic. No. 10940-23, and Certificate of Occupancy No. 6567 was issued permitting the building to be used as a garage; that in the same year, the Fire Department issued a permit allowing the installation of one 550 gallon gasoline tank; that similar permits were issued in succeeding years for the storage and sale of gasoline and oil; that in 1929 the building was improved under Slip Applic. No. 142-29 by replacing the existing frame walls with masonry construction, and the use was changed to gasoline station, two-car garage and accessory store; that the masonry garages at the rear of the lot were erected under N.B. Applic. No. 14587-24 and retain their original use; and

WHEREAS, the applicant states that the owner has had title to the premises since 1945 and assumed the premises with the established use of gas station, miscellaneous service, lubricatory and garages and has operated the gas station since then, performing minor repairs incidental to the normal use

MINUTES

as a service building; that the owner's livelihood depends upon his being able to render such services to his customers, and to restrict him at this time from performing such minor repairs with hand tools only, would cause him to suffer undue hardship and render him unable to earn a living; and

WHEREAS, the applicant contends that such an extension of the permitted use would not adversely affect the neighborhood or adjoining property owners, as all work will be performed entirely within the service building, and there are no openings in the walls of the building onto any adjoining property; and

WHEREAS, the applicant states that the present owner has held title to the property since October 23, 1945; that the assessed valuation of land is \$5,300 and of the building \$5,200 making a total of \$10,500; that the building was erected in 1923; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7i, for a term of five years, to permit the addition of minor repairs with hand tools only for adjustments maintained solely within the accessory building, as shown on plans filed with this application, marked "Received June 4, 1958," 3 sheets, *on condition* that in all other respects the present arrangement shall be continued; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

376-58-BZ

APPLICANT—Charles Pheffer, for Charles Pheffer, Sam Weinhouse, and Samuel Fishman, owner.

SUBJECT—Application June 13, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7h and 7i of the Zoning Resolution, to permit in a business use district, the change in use from used car lot to a gasoline service station, lubritorium, automatic laundry, New York State inspection station, minor automobile repairs and parking and storage of more than five (5) motor vehicles for a term of fifteen (15) years.

PREMISES AFFECTED—1925 White Plains Road, west side, 130.20 feet south of Sagamore Street, Block 4254, Lots 32 and 37, Borough of The Bronx.

APPEARANCES—

For Applicant: Theresa Goldsmith.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, White Plains Road, Rhineland Avenue, Amethyst Street and Sagamore Street are in a business use, B area, class 1¼ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 14, 1958 acting on N.B. Applic. 397-58, reads:

"1. In a business district the proposed 'Gasoline service station, office & accessory store, Lubritorium, N. Y. State Auto inspection station, auto laundry, Parking and storage of more than five motor vehicles' is contrary to Sect. 4 Zoning Resolution and is therefore denied."

and

WHEREAS, the applicant states that the premises consist

of a plot, 167.23 feet frontage by 174.52 feet in depth, irregular, consisting of two lots used and occupied in accordance with Certificates of Occupancy No. 579 and No. 8654, as a used car sales lot; that the property, at present, has a one story frame office and a frame shed and a one story metal garage; that it is proposed to change the occupancy to a gasoline service station, lubritorium, automatic laundry, auto inspection station, minor automobile repairs and parking and storage of more than five vehicles; that gas pumps will be set on two islands; that the presently existing buildings will be demolished; and

WHEREAS, the applicant states that the owners are experienced gas station operators, having been in the business for 25 years, and they intend to build and operate a first class station, which will enhance the appearance of the neighborhood; that the proposed use, like the existing legal use, deals with automobiles; that the area immediate to the premises contains at least two parking lots and two gas stations and one garage; that there is a substantial amount of vacant land around the premises; that the Dyre Avenue spur of the subways abuts the property on the north, while a commercial pizza bakery abuts on the south; and

WHEREAS, the applicant contends that a grant of the variance will not adversely affect the neighborhood property owners; that the proposed use is, in part, in keeping with the nature of the use which has existed on these premises for at least 16 years; and

WHEREAS, the applicant states that the present owners have held title to the property since October 18, 1957; that the assessed valuation of land is \$15,800 and of the building \$200 making a total of \$16,000; that the building was erected in 1942; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e, f, h and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e and 7f for a term of fifteen years, to permit the premises to be occupied as a gasoline service station, accessory building and mechanical motor vehicle laundry, substantially as proposed and indicated on plans filed with this application, marked "Received June 13, 1958", 5 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the site arranged and constructed substantially as proposed; that the accessory building shall comply with the requirements of the Building Code and shall have no cellar and shall be faced on all sides with face brick; that pumps shall be of an approved low type, erected not nearer than 15 feet to the street building line of White Plains Road; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that the balance of the site where not built upon shall be paved with concrete or asphalt; that curb cuts shall be restricted to three to White Plains Road, each 30 feet in width including splays; that the sidewalk and curbing abutting the premises shall be constructed or repaired to the satisfaction of the Borough President; that along the lot line to the south, the adjoining masonry wall shall be finished with face brick or stuccoed for the full height with the consent of the owner of adjoining premises; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the facade of the accessory building and laundry, excluding all roof and temporary signs, but permitting the erection within the building line of one post standard for supporting a sign which may be illuminated advertising only the brand of gasoline on sale and permitting such sign to extend not more than 4 feet beyond the building line; that under Section 7h for a similar term there may be parking and storage of motor vehicles, provided such parking is maintained where it will not interfere with the servicing of the station; that under Section 7i for a similar term there may be minor motor vehicle repairs

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with hand tools only for adjustments maintained solely within the accessory building; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

379-58-BZ

APPLICANT—Bernard Sommer, for Mount Calvary United American Baptist Church, Inc., owner.

SUBJECT—Application June 17, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—647 Madison Street, north side, 305 feet east of Reid Avenue, Block 1641, Lot 59, Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernard Sommer.

For Opposition: Edna Kelly, Morris Gordon.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Stuyvesant Avenue are in a residence use, C area, class 1 height district; Madison Street and Monroe Street are in residence and local retail use, C area, class 1 height districts; Reid Avenue is in a local retail use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated June 10, 1958 acting on Alt. Applic. No. 4121-58, reads:

"1. Day & night parking & storage lot for more than 5 motor vehicles in the residence use district is contrary to Art. II Sec. 3 of Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 65 feet frontage by 100 feet in depth; that it is proposed to maintain day and night parking for more than five motor vehicles; and

WHEREAS, the applicant contends that there are multi-family buildings located in the immediate vicinity of the area requested to be permitted to be used for the storage of motor vehicles; that a grant of this application will help lighten the parking situation which now prevails in the vicinity; and

WHEREAS, the applicant states that the present owner has held title to the property since April 6, 1956 and that the assessed valuation of land is \$7,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the Committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 4121/58, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

407-58-BZ

APPLICANT—Leonard F. Rothkrug, for Filmont Associates Inc., owner, Esso Standard Oil Company, lessee.

SUBJECT—Application July 3rd, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use

district, the erection and maintenance of a gasoline service station, lubritorium, parking of cars awaiting service, motor vehicle repair shop with hand tools only, car washing—non-automatic, office and sales, with show windows within 75 feet of a residence use district for a term of fifteen (15) years.

PREMISES AFFECTED—5713-5723 20th Avenue and 2001-2011 58th Street, northeast corner, Block 5500, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 9, 1958, for hearing at request of objector; then to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and 20th Avenue are in a business use, C area, class 1 height district; 57th Street and 58th Street are in business and residence use, C area, class 1 height district; 21st Avenue is in a residence use, C area, class 1 height district; that there has been no change in use, area or height district designations, and no change in zone is pending; and

WHEREAS, the decision of the Borough Superintendent, dated June 27, 1958 acting on N.B. Applic. No. 930-58, reads:

"1. Proposed building and premises located on a lot, which is in a Business Zone, to be used for Gasoline Service Station, Auto Laundry (non-automatic), Auto Repair shop (hand tools only) and Lubritorium is contrary to Article II, PP. 4a, subsections 29 and 46 of the Zoning Resolution.

"2. Proposed show windows, with 75' of a Residence Zone is contrary to Article II, PP. 7A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet 2½ inches in depth, presently vacant; that it is proposed to erect and maintain a gasoline service station, lubritorium, motor vehicle repair shop using hand tools only, non-automatic car washing, office and sales, with show windows within 75 feet of a residence district, and parking of cars awaiting service; and

WHEREAS, the applicant contends that the premises cannot be economically developed with a conforming use; that almost 100% of the property to the southeast and southwest is developed for many square miles; that this intersection has the only vacant corners almost all the way to the Belt Parkway and forms the boundary between the fully developed areas to the southeast and southwest, and the cemetery to the northeast and northwest; and

WHEREAS, the applicant further contends that there is no need for additional retail facilities; that 20th Avenue is a main retail shopping area to the southwest, and the existing retail facilities more than adequately serve the needs of the community; and

WHEREAS, the applicant states that the present owner has held title to the property since January 12, 1957 and that the assessed valuation of land is \$5,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e, f, i and 7A of the Zoning Resolution.

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Resolved, that the decision of the Borough Superintendent, acting on NB App. 930-58, Objection No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

412-58-BZ

APPLICANT—James E. Vassalotti, for Roberta Corp., owner.

SUBJECT—Application July 8th, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution to permit in a manufacturing and retail use district, the reconstruction of an existing gasoline service station, with office and sales and extending the uses to include lubritorium, car wash, minor auto repairs, storage room and to use the open area for the parking and storage of motor vehicles; the proposed reconstruction to provide a new accessory building with additional tanks and pumps.

PREMISES AFFECTED—6002-6012 Foster Avenue, 502-518 East 80th Street, southwest corner and 1501-1507 Ralph Avenue, Block 7958, Lots 43 and 44, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in retail and manufacturing use, C area, class 1 height districts; Ralph Avenue is in a retail use, C area, class 1 height district; Foster Avenue is in a manufacturing use, C area, class 1 height district; East 79th Street is in retail and residence use, C area, Class 1 height districts; East 80th Street is in manufacturing and residence use, C area, class 1 height districts; that part of the premises within 100 feet of East 80th Street is in a manufacturing use district and the balance of the plot is in a retail use district; that as of July 25, 1916 part of the premises within 100 feet of East 80th Street was in an unrestricted use district and the balance of the premises was in an undetermined use district; that as of July 25, 1916 the entire premises were in a class 1½ height district; that on May 6, 1932 that part of the premises beyond 100 feet of East 80th Street and within 100 feet of Foster Avenue was changed to an unrestricted use district and the balance of the premises was changed to a business use district; that on August 14, 1943 that part of the premises within 100 feet of East 80th Street was changed to a manufacturing use district and the balance of the premises to a business use district; that on March 7, 1949 part of the premises beyond 100 feet of East 80th Street was changed to a retail use district; that on June 22, 1954 the present class 1 height designation became effective; and

WHEREAS, the decision of the Borough Superintendent, dated June 23, 1958 acting on N.B. Applic. No. 928-58, reads:

"1. Proposed building and premises, located on a plot which is partly in a Manufacturing and partly in a Retail zone, to be used for gasoline service station, lubritorium, car washing, storage, office and sales room and minor auto repairs and Parking and storage of motor vehicles in open area, is contrary to Article II, PP. 4-A of the Zoning Resolution."

and
WHEREAS, the applicant states that the premises consist of a plot, 118 feet 11¼ inches frontage by 125 feet ¾ inches in depth, irregular, presently developed with a gasoline serv-

ice station consisting of four 550 gallon buried gasoline tanks, four dispensing pumps, 3 open grease pits and a one story accessory building of class 3 construction, having a frontage of 25 feet, 11 inches, a depth of 29 feet 10 inches and now used for office and sales; that it is proposed to re-develop the existing legal gasoline service station; that the redevelopment will consist of installing twelve 550 gallon gasoline tanks in addition to the four present 550 gallon gasoline tanks, making a total of 16 tanks; that it is also proposed to erect a new accessory building, one story in height of class 3 construction, having a frontage of 61 feet, a depth of 30 feet, which will contain conjunctive uses of car wash, lubritorium, minor auto repairs, storage room, office and sales room; that the open area, not used by the gasoline service station, is proposed for parking and storage of motor vehicles; and

WHEREAS, the applicant contends that the present gas station has been in continuous operation since 1934, which proves conclusively that this station has rendered a required service to this community; that the redevelopment of this gas station will improve the appearance of this corner and lead the way to any new development in the area; that the major portion of this site is in a manufacturing use district where gasoline service stations are permitted; and

WHEREAS, the applicant states that the present owner has held title to the property since April 25, 1946; that the assessed valuation of land is \$20,500 and of the building \$6,000 making a total of \$26,500; that the building was erected in 1932; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the reconstruction of the existing gasoline service station substantially as proposed and indicated on plans filed with this application marked, "Received July 8, 1958," 6 sheets, *on condition* that all buildings and uses now on the premises shall be removed and the premises shall be constructed and arranged as indicated on such revised plans; that the accessory building shall be constructed and arranged as indicated on such plans and shall be faced on all sides with face brick and shall be, as shown, without cellar; that the doors to the toilet rooms shall not be contiguous; that pumps shall be erected not nearer than 15 feet to the street building line of Foster Avenue; that gasoline storage tanks shall not exceed twelve 550 gallon approved gasoline storage tanks; that curb cuts shall be restricted to 2 curb cuts to Foster Avenue, each 30 feet in width, and one to East 80th Street and one to Ralph Avenue each of similar width; that no portion of any curb cut shall be nearer than 5 feet to a lot line as prolonged; that at the intersection of Ralph Avenue and Foster Avenue there shall be a block of concrete extending for a distance of 5 feet along the building line, not less than 12 inches in height; that at the rear lot lines to the south there shall be erected a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches, with suitable terminating posts; that the sidewalk and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting equipment shall be maintained as the Fire Commissioner may require; that under Section 7i minor repairs may be permitted with hand tools only for adjustment and maintained solely within the accessory building; that the portion of the premises unbuilt upon may be used for parking and storage of motor vehicles provided such parking does not interfere with the servicing of the station; that signs shall be restricted to permanent signs attached to the facade of the building and the illuminated globes

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of the pumps excluding all roof and temporary signs and advertising devices, but permitting the erection at the intersection of Ralph Avenue and Foster Avenue, one post standard for supporting a sign, which may be illuminated, and advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 feet; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

427-58-BZ

APPLICANT—Aaron Halpern, for Joseph F. Lynch, owner.

SUBJECT—Application July 16, 1958—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as two retail stores.

PREMISES AFFECTED—22-02 to 22-04 154th Street, 151-81 to 151-89 Willets Point Boulevard, northwest corner and 151-76 to 151-84 22nd Avenue, Block 4710, Lot 43, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Charles J. Stidolph.

For Opposition: Victor J. Ambrose.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 154th Street, Willets Point Boulevard, 22nd Avenue and Murray Street are in a residence use, E-1 area, class ½ height district; that as of July 25, 1916 the property was zoned as a business use district, class 1 height district and D area district; that the present residence use district and class ½ height district designations became effective July 17, 1952; that the E-1 area district designation became effective September 18, 1952; that no change in zoning relating to this property is pending at this time; and

WHEREAS, the decision of the Borough Superintendent, dated June 23, 1958 acting on N.B. Applic. No. 41-58, reads:

"1. Proposed erection of retail stores with storage in a residential use district is contrary to Article II Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 67.93 feet frontage by 85 feet in depth, irregular, presently vacant; that it is proposed to erect a modern one story and cellar taxpayer on this site; that this would consist of two retail stores on the first floor and storage, in conjunction with the retail use, on the cellar floor; that the building would be constructed of class 3 construction, non-fireproof, having a poured concrete foundation, brick faced masonry exterior walls, the first floor and roof being of wood construction; that the stores and business entrances would front on 154th Street; that a show window, not exceeding 25 feet in length, would be erected at the corner, facing Willets Point Boulevard and the retail stores across the street; that the only openings on 22nd Avenue and on Willets Point Boulevard would be the required exits not exceeding three feet in width; that the area in the required setbacks on 22nd Avenue and Willets Point Boulevard will have a landscaped border three feet wide and the remaining area adjoining the sidewalks will be paved; and

WHEREAS, the applicant contends that the property could have been developed for the proposed use, or any other permitted in a business use district, any time prior to July

17, 1952; that the proposed use was permitted on this site from 1916 to 1952, nine months prior to acquisition by the present owner; that it has not been feasible to develop this site for any permitted use since that time; that Willets Point Boulevard and 154th Street are both wide, well traveled local thoroughfares; that there is an existing neighborhood shopping center directly across the street on the southwest corner of 154th Street and Willets Point Boulevard; that the proposed improvement would provide additional local shopping facilities and would not be out of character with the development of the area, or the way it was originally planned, and would not adversely affect the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since April 4, 1953 and that the assessed valuation of land is \$3,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should not be granted; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on NB App 41-58, Objection No. One be and it hereby is affirmed and that the application be and it hereby is denied.

441-58-BZ

APPLICANT—John H. Thatcher, for Henry Spinelli, owner.

SUBJECT—Application July 18, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business and residence use district, the extension of the storage of building materials in an existing one-story building and in the open area into the residence use district, with a curb cut located in the residence portion of the premises.

PREMISES AFFECTED—2002-2010 Neptune Avenue and 2802-2820 West 20th Street, southwest corner, Block 7018, Lot 9, Borough of Brooklyn.

APPEARANCES—

For Applicant: John H. Thatcher.

For Opposition: Margaret Snidersich, Clara Coppola, Carolyn Ruggiero, George Osbourn and James Ruggiero.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in business and residence use, C area, class 1 height district; West 20th Street and West 21st Street is in business, residence and local retail use, C area, class 1 height districts; Neptune Avenue is in a business use, C area, class 1 height district; Mermaid Avenue is in a local retail use, C area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 7, 1958 acting on amendment to Alt. Applic. No. 3439-57, reads:

"1. The construction in a residence use district of an extension to a storage building which is in a business use district is contrary to the Zoning Resolution, Art. II, Sect. 3.

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2. The use of the open yard partially within a residence use district for storage of building materials is contrary to the Zoning Resolution, Art. II, Sect. 3.

3. The use of the dropped curb within the residence use district is contrary to the Zoning Resolution, Art. II, Sect. 3."

and

WHEREAS, the applicant states that the premises consist of a plot, 80 feet frontage by 175 feet in depth, upon which is located one building 93 feet by 30 feet, under construction, and one illegally erected building 125 feet by 22 feet 4 inches, of which approximately 44 feet extends into the residence zone; that the buildings and yard are used for the storage of building materials, principally masonry; that there is a curb cut on Neptune Avenue which is being enlarged, and an existing curb cut on West 20th Street; that it is proposed to use the open yard for the storage of building materials and to allow the present building to remain for the same purpose, subject to the reconstruction of the walls, as called for on plans; and

WHEREAS, the applicant states that the adjacent property to the west, lot 1, block 7018, which also extends into the residential zone, is occupied by a one story brick building, formerly an ice manufacturing plant, but now used as a garage and motor vehicle repair shop for Department of Sanitation trucks, permit for which was granted by the Board under Cal. No. 626-29-BZ; that the adjacent property to the south, lot 18, block 7018, lying in the residential zone and extending from West 20th Street to West 21st Street, is used as a parking lot, permit for which was granted for five years by the Board under Cal. No. 800-50-BZ and extended in 1955 for another five years; that there are other nonconforming uses in the affected area, both on Neptune Avenue, and on the side streets in either direction from West 20th Street; that the north side of Neptune Avenue in the vicinity of West 20th Street, is developed with coal pockets and motor vehicle repair shops; and

WHEREAS, the applicant further states that available records indicate that this property has been used for business since 1899, starting with an Edison Company plant; that at the time the area was zoned for residence, the site was occupied by a factory, 96 feet by 71 feet, owned by the Brooklyn Edison Company, and in 1931 when the present zoning boundary line went into effect, there was a frame extension on the factory which extended about 20 feet inside the residential zone; that this structure was demolished about 1938; and

WHEREAS, the applicant contends that it would be a hardship for the owner to have to consider as residential, a part of his property which he needs for his business and which is patently undesirable for residential use, situated as it is with a business use to the north, a parking lot to the south and a truck garage to the west; that under these circumstances, the use of this 75 feet on West 20th Street, in conjunction with the 100 feet of business use permitted by the Zoning Resolution, will not detract from the character of the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since September, 1947; that the assessed valuation of land is \$19,000 and of the building \$7,000 making a total of \$26,000; that the building was erected in 1947; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, it appears that the plot has been used for the present use for many years; and the committee recommended approval provided there is no vehicular entrance to West 20th Street; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the ap-

plication be and it hereby is granted under Section 7c to permit the extension of the existing building along the westerly lot line substantially as proposed and for the use as proposed and indicated on plans filed with this application marked, "Received July 18, 1958," 3 sheets, on condition that the building shall not be increased in height or area and that fencing shall be maintained around the premises; that the existing gate to East 20th Street shall be effectively barred so as not to be used; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

464-58-BZ

APPLICANT—Robert Gordon, for Parsons Realty Co. of Queens Co. Inc., owner, Parsons Sanitarium, Inc., known as Parsons Hospital, Lessee.

SUBJECT—Application July 30, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five motor vehicles for use by the doctors and staff of Parsons Hospital opposite the subject site.

PREMISES AFFECTED—139-91 35th Avenue, north side, 150 feet, west of Parsons Boulevard, Block 4994, Lot 68, Flushing, Borough of Queens.

APPEARANCES—

For Applicant Robert Gordon

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-

ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on November 25, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; applicant to furnish Board plans showing the parking rear of the hospital and copy of the Certificate of Occupancy; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Parsons Boulevard are in a residence use, D area, class 1 height district; 34th Avenue and 35th Avenue are in residence and retail use, D area, class 1 height districts; Union Street is in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 23, 1958 acting on Alt, Applic. No. 437-58, reads:

"1. The proposed parking of motor vehicles in a residence use district and not on the same lot with the hospital is contrary to the Zoning Resolution. (Article II Section 3 (9))."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 167 feet in depth, presently occupied by a two story frame dwelling; that adjoining properties to the west, north and east are similarly developed; that it is proposed to demolish the old frame structure and to develop the site as a parking lot to be used by the doctors and staff of the Parsons Hospital; and

WHEREAS, the applicant states that Parsons Hospital is situated directly opposite the site in question; that the hospital now maintains a parking area on the same lot as the hospital building; that this space is presently used by the doctors and staff of the hospital, as well as by trucks delivering food and supplies to it; and

WHEREAS, the applicant contends that this area has proven to be presently inadequate and as a result doctors are forced to park in the abutting streets; that these abutting streets, in addition to being heavily parked by cars of the people in the neighborhood and by the cars of people visiting patients in the hospital, contain a steady flow of traffic; that the use

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of the site in question, which is directly opposite the hospital, will not adversely affect the surrounding area, would provide needed spaces and would alleviate congestion in the abutting streets; and

WHEREAS, the applicant states that the present owner has held title to the property since January 1, 1958; that the assessed valuation of land is \$4,800 and of the building \$5,200 making a total of \$10,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the plot to be occupied as proposed for parking of motor vehicles belonging solely to the employees, staff, patients and guests of the hospital located on Lot 57 opposite, *on condition* that all the buildings and uses now on the premises shall be removed and the lot shall be surfaced with clean gravel or steam cinders treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type on a masonry base to a total height of not less than 5 feet, 6 inches, with no openings therein except one at 35th Avenue for entrance and exit; that such entrance shall be fitted with gates of construction similar to the fence which shall be kept closed except when entrance is being used; that there may be a curb cut opposite the entrance, not over 12 feet in width; that suitable bumpers shall be maintained against the fence for protection thereto; that signs shall be restricted to one sign attached to the fence, advertising the private use of the premises provided that such signs shall not exceed 5 square feet, shall not be illuminated nor extend beyond the lot line; that during the term of this variance the premises shall be occupied for no other use than as herein permitted; and that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

467-58-BZ

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owners.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit on a plot partly in a local retail and partly in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing—non-automatic, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five (5) cars with a ground sign in a local retail use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper. . . 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 172nd Street and Utopia Park-

way are in local retail and residence use, D and DD area, class I height districts; Northern Boulevard is in a local retail use, D area, class I height district; 42nd Avenue is in a residence use, DD area, class I height district; that as of July 25, 1916 the portion of the property within 100 feet of Northern Boulevard was zoned as a business use district and the remainder was zoned as a residence use district; that on November 16, 1923 the residence district was expanded to include the entire property; that on May 13, 1926 the portion of the property within 100 feet of Northern Boulevard was placed in a business district and on September 18, 1947 the business portion was changed to its present local retail designation; that as of July 25, 1916 the property was entirely zoned as a C area district and the present area zoning became effective on March 24, 1955; that the height designation has not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated July 11, 1958 acting on N.B. Applic. No. 1567-58, reads:

"1. Proposed gasoline service station, lubritorium, car washing (non-automatic), minor repairs (with hand tools only), office, storage and sale of accessories, parking and storage of more than five (5) cars on a lot which is partly in a local retail district and partly in a residence district is contrary to Art. 2, Sec. 3 and Sec. 4-c of the Z.R.

"2. The proposed ground sign on the local retail portion of the lot is contrary to Art. 2, Sec. 4-c of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 196.09 feet frontage by 111.98 feet and 109.33 feet in depth, consisting of a vacant plot; that it is proposed to erect a face brick, peaked-roof, parkway type gasoline service station, lubritorium, non-automatic car wash, minor repairs with hand tools only, office, storage and sale of accessories, parking and storage of more than five cars, with ground sign in the local retail portion of the plot; that almost all of the residence use district portion of the premises, fronting along 172nd Street, is proposed to be excluded from the gasoline service station area; and

WHEREAS, the applicant states that 172nd Street between 42nd Avenue and Northern Boulevard is indicated at a width 60 feet on the Final Map of the Borough of Queens and the old road, about 50 feet wide, is dedicated to the use of the public according to an opinion of the Corporation Counsel dated June 8, 1924; that there is an indicated widening of about five feet on the easterly and westerly sides of the dedicated area which is in private ownership; that there is no proceeding pending to acquire the proposed widening; and

WHEREAS, it is proposed to erect a 5 foot 6 inch high solid brick fence wall, extending from the unpierced rear wall of the accessory building to Utopia Parkway and 172nd Street, and continuing along 172nd Street for a distance of approximately 38 feet, and to install landscaping along the fence walls; that the portion of the subject premises outside of the fence walls, consisting of approximately 1,000 square feet, is excluded from the gas station area and is to remain seeded and landscaped; and

WHEREAS, the applicant states that the present owners have held title to the property since May 23, 1956 and that the assessed valuation of land is \$24,700; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e and h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of fifteen years, to permit the premises to be occupied as a gasoline service station and uses legally accessory thereto,

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substantially as proposed and indicated on plans filed with this application, marked "Received July 31, 1958," 4 sheets and "September 4, 1958," 1 sheet, *on condition* that all buildings and uses now on the premises shall be removed and the site leveled substantially to the grade of Northern Boulevard and arranged and constructed substantially as indicated on such plans; that the accessory building shall be of the design, location and arrangement indicated on such plans; that the building shall be faced on all sides with face brick and shall have no cellar; that there shall be no windows opening on the rear lot line; that there shall be erected along the rear, where shown, a face brick wall to a total height of not less than 5 feet 6 inches with masonry terminal posts to the east, and similarly to the west; that at the rear to the north of such wall there shall be a landscaped area, planted with suitable material and protected with a curbing 8 inches in height, which shall be maintained by this owner; that walls and planting protected by curbing shall be constructed as proposed and shown to the west and east; that under Section 7h for a similar term parking may be extended where shown, along the line of 172nd Street; that pumps shall be of an approved low type, erected not nearer than 15 feet to the street building line of Northern Boulevard; that the number of gasoline storage tanks shall not exceed twelve 550 gallon approved tanks; that where not covered by accessory buildings and tanks the premises shall be paved with concrete or asphalt; that sidewalks and curbing abutting the site shall be constructed or repaired to the satisfaction of the Borough President; that the new curb cuts may be as shown, consisting of four 25 feet in width each to Northern Boulevard, one 30 feet in width to 172nd Street and two of similar width to Utopia Parkway; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that signs shall be restricted to permanent signs attached to the facade of the accessory building, facing Northern Boulevard and the illuminated globes of the pumps, excluding all roof signs, temporary signs and advertising devices, but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated, which may have two leaves, one at right angles to Northern Boulevard and one at right angles to Utopia Parkway, advertising only the brand of gasoline on sale; that such signs shall extend not more than 4 feet beyond the building line; that under Section 7e for a similar term there may be minor repairs with hand tools only, for adjustments maintained solely within the accessory building; that in all other respects the premises shall comply with all laws, rules and regulations applicable thereto other than as modified this day by resolution adopted under Cal. No. 468-58-A; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

468-58-A

APPLICANT—Paul Friedman, for Alphonse and Rosalie Pomilla, owner.

SUBJECT—Application July 31, 1958—filed pursuant to section 35 General City Law re premises partly in bed of mapped street—re proposed widening of 172nd Street.

PREMISES AFFECTED—172-01 to 172-19 (172-11 official) Northern Boulevard, north side from Utopia Parkway to 172nd Street; 42-34 to 42-42 Utopia Parkway and 42-33 to 42-41 172nd Street, Block 5363, Lots 1, 5 and 37, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 11, 1958 on N.B. Applic. 1567/58, reads:

"3. The proposed utilization of that portion of the

lot which is in the bed of a mapped street is contrary to Art. 3, Sec. 35 of the General City Law."

and

WHEREAS, the applicant states that the premises consist of a vacant lot, 196.09 feet by 111.98 feet irregular, located in local retail and residence use, D and DD area, class 1 height district; and

WHEREAS, the applicant proposes to construct on these premises a gasoline service station, lubritorium, minor repairs, car wash, office, storage and sale of auto accessories, parking and storage of more than 5 motor vehicles; and

WHEREAS, the applicant states that there is an indicated widening of almost 5 feet of the easterly side of 172nd Street; that the plan shows that the proposed building will be confined to that portion of the property which does not lie within the bed of the mapped street except for a landscape area, a Revere light pole and an entrance to the gasoline station on 172nd Street; that in the event that the City does acquire the property in condemnation for street purposes, the landscaped area now in the bed of the mapped street will become a part of the street and it will be a simple matter to relocate the Revere light pole within the new building line at no cost to the City; that no damages will be claimed by the owner against the City of New York by reason of condemnation of the portion of the plot in the bed of the mapped street arising out of the establishment of the proposed use or by reason of compliance with any conditions which the Board may impose in connection with the regulation of the proposed use; and

WHEREAS, the Board has been advised by the Office of the President of the Borough of Queens; that 172nd Street is indicated at a width of 60 feet on the Final Maps of the Borough of Queens, as adopted by the Board of Estimate and Apportionment on February 19, 1926; that the old road, about 50 feet in width, is dedicated to public use; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. 1567/58, Objection No. 3, be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit that portion of 172nd Street to be occupied as part of the gasoline service station, provided no buildings are erected thereon and that such space is used only as an apron for entering and leaving the gasoline station; that in the event this portion of the premises is acquired by the City for street widening no claim shall be made except for the land so taken; compensation therefor shall be as determined by the Court.

472-58-BZ

APPLICANT—Leonard F. Rothkrug, for 14th Street Garage, Inc., owner, Tamarkin Collision Service, Lessee.

SUBJECT—Application Aug. 1, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in occupancy from garage for more than five (5) cars to motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying, and parking of cars awaiting service all for a temporary term of ten (10) years.

PREMISES AFFECTED—2773 East 14th Street, east side, 155 feet, 11½ inches north of Emmons Avenue, Block 7488, Lot 58, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application

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on December 9, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Emmons Avenue are in a business use, A area, class 1 height district; East 14th Street and East 15th Street are in business and residence use, A area, class 1 height districts; Shore Parkway is in a residence use, A area, class 1 height district; that on July 25, 1916 the premises was in an unrestricted use district and was rezoned to its present designation on October 10, 1930; that no petition is pending at the City Planning Commission; and

WHEREAS, the decision of the Borough Superintendent, dated July 31, 1958 acting on Alt. Applic. No. 2637-58, reads:

"1. Proposed change of occupancy from garage for more than (5) cars to motor vehicle repair shop, auto painting & spraying, auto collision repairs with acetylene welding in a business use district is contrary to Art. 2 Sect. 4a, 29 & Art. 2 Sect. 4(a)4 of zone resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot, 65 feet $3\frac{1}{4}$ inches frontage by 128 feet $9\frac{1}{4}$ inches in depth, irregular in area, on which is located a one story building 18 feet 6 inches in height, 65 feet $3\frac{1}{4}$ inches front by 106 feet 8 inches in depth, erected under N.B. Applic. No. 2753-26 and occupied under Certificate of Occupancy No. 40057 issued August 5, 1926 as a garage for more than five cars—three buildings—the subject premises being the middle building; that it is proposed to occupy the premises as a motor vehicle repair shop with collision repairs, acetylene welding, auto painting and spraying and parking of cars awaiting service on the unbuilt upon portion of the premises; and

WHEREAS, the applicant states that the building is presently occupied substantially as proposed herein by the owner, doing business as Tamarkin Collision Works; that Violation No. 93-58 was issued by the Department of Buildings on May 5, 1958 in that premises being located in a business use district, said premises is being unlawfully used as a motor vehicle repair shop and body and fender repairs and spraying; that the present owners have conducted this same business on these premises since 1946 and the premises had been occupied as a repair shop prior to that time; and

WHEREAS, the applicant further contends that it is not proposed to alter the exterior of the building or extend the building in height or area; that the tax lot is greater in depth than the two adjoining lots; that the three buildings designated as 2767-87 were erected at the same time and when the zone was unrestricted and there was only one lot number, lot 55, assigned; that the lots were subdivided and the subject premises, in the center, was assigned lot 58; that a vacant area in back of the building, 24 feet by 65 feet in area, was associated with these premises for the purpose of subsequently obtaining an easement onto lot 35 and out to East 15th Street; that there is no such easement presently existing and it is proposed to use the vacant portion at the back of the subject building for parking of cars awaiting service; that no repairs will be conducted in this open area; that the existing curb cuts will satisfy the needs of the proposed uses; that since both sides of the street are developed principally with motor vehicle uses, there is an absence of pedestrian traffic; that the building is a considerable distance from any residence development and therefore will be no adverse effect on such development; that the proposed use could have been legalized at the time the building was erected, since it was in an unrestricted use district; that the two other buildings are presently used for factory uses; and

WHEREAS, the applicant states that the present owner has held title to the property since October 19, 1954; that the assessed valuation of land is \$11,500 and of the buildings \$20,500 making a total of \$32,000; that the buildings were erected in 1926; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee found that the existing garage was doing repair work and

had done so for many years and recommended that the application should be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivisions e and i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Sections 7e and i for a term of five years to permit the existing garage to be occupied also for the repairing of motor vehicles substantially as proposed and as indicated on plans filed with this application marked "Received August 1, 1958", 6 sheets, including parking of motor vehicles awaiting service on the unbuilt area of the lot, *on condition* that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

489-58-BZ

APPLICANT—New York Telephone Company, owner.
Mr. Harold V. Dixon, General Solicitor.

SUBJECT—Application August 18th, 1958—decision of the Borough Superintendent, under section 7d of the Zoning Resolution, to permit in a residence use district, the erection of a one story and cellar structure for use as a telephone exchange.

PREMISES AFFECTED—164 Schofield Street, south side, 190.8 feet, east of City Island Avenue, Block 5641, Lot 315, Borough of the Bronx.

APPEARANCES—

For Applicant: Marion E. Horsburgh, John M. Dietz, C. B. Donaldson and Joseph B. Klein.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper 4

Negative: 0

Absent: Vice-Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, C area, class 1 height district; that as of July 25, 1916 the property was zoned as an unrestricted use district and was rezoned as a residence use district on July 28, 1952; that the present area and height designations have not been changed since July 25, 1916; that there is no petition pending before the City Planning Commission to change any of these designations; and

WHEREAS, the decision of the Borough Superintendent, dated August 13, 1958 acting on N.B. Applic. No. 482-58, reads:

"1. The proposed telephone exchange building in a residence use district is contrary to Article II Sec. 3 of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 feet frontage by 100 feet in depth, presently vacant; that it is proposed to construct, in a residence use district, a one story central telephone exchange building, with basement, in order to provide a new dial center to serve the City Island section of The Bronx; and

WHEREAS, the applicant states that in selecting a site for the new dial center to serve this area, it was necessary to locate a site as close to the wire center of the area as possible, and in close proximity to the existing cable plant of the Company; that the premises involved herein are the best available to meet these requirements and to the interest of all concerned in the furnishing of this essential public service; and

WHEREAS, the applicant contends that at present, the City

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Island area is served by a manual exchange housed in a residence building of wood frame construction, which is located approximately 38 feet east of the proposed site for the new building on the south side of Schofield Avenue; that due to new housing construction in the area, which has accelerated the demand for telephone facilities, this exchange, on the basis of current estimates, will soon reach its capacity, and it is therefore necessary for the Company to increase its central office facilities in order to meet this estimated demand for telephone service; that in order to provide the most modern and efficient telephone service to the residents of City Island, the Company plans to replace the present manual central office with the latest type dial equipment; that since the existing building was not designed to house dial equipment, it is necessary to build a new dial exchange building; and

WHEREAS, the applicant contends that the proposed exchange building will be architecturally and structurally in keeping with the residential buildings in its vicinity; that it will be constructed of concrete block with the front of the building brick veneered; that present schedules contemplate the completion of the proposed building by November 1, 1959 and completion of the installation of the new dial equipment by June 1, 1960, provided that the Company is permitted to proceed with the proposed construction promptly; that it is estimated that the proposed exchange building will be adequate to meet the service demands of this area at the time of such completion and will provide a reasonable reserve for future growth; and

WHEREAS, the applicant states that the present owner has held title to the property since February 29, 1940 and that the assessed valuation of land is \$2,400; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision d of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7d to permit the proposed site to be developed with the building for telephone use as proposed and indicated on plans filed with this application marked, "Received August 18, 1958," 9 sheets, *on condition* that the building shall be faced with face brick with limestone or marble trimmings, and in all other respects shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

536-58-BZ

APPLICANT—Samuel Rosenblum, for Uris 320 Park Corp., owner of building and lessee of land.

SUBJECT—Application September 11, 1958—decision of the Borough Superintendent, under Section 21 of the Zoning Resolution, to permit partly in a Class 2 and partly in a class 1½ height district, the erection of a 30 story office building that exceeds the permitted height for that portion in the class 1½ height district.

PREMISES AFFECTED—320-336 Park Avenue, west side, from East 50th to East 51st Streets; 39-51 East 50th Street and 38-50 East 51st Street, Block 1286, Lots 31, 35, 41, 142 and 42, Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Julian Roth.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 9, 1958 after due notice by publication in the

Bulletin; laid over to December 16, 1958, for decision; and for applicant to file revised plans showing areas as proposed and as permitted by the Zoning Resolution; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, East 51st Street, Park Avenue, East 50th Street and Madison Avenue are in a restricted retail use, B area, class 1½ and class 2 height district; that the following changes have taken place in the zoning designations since July 25, 1916; that on that date the south half of Park Avenue between East 50th Street and East 51st Street was zoned for business, and East 50th Street was zoned for business; that the northerly half of Park Avenue and East 51st Street were zoned for residence; that on November 21, 1929 the Park Avenue frontage, for a distance of 100 feet west, was changed to retail use and on June 6, 1930 the property west of 100 feet on Park Avenue, was changed to retail use; that on June 4, 1937 the Park Avenue frontage was changed to restricted retail use, which is the present designation; that on January 13, 1955 the property on the side streets was changed from retail to restricted retail, which is the present designation; and

WHEREAS, the decision of the Borough Superintendent, dated August 13, 1958 acting on amendment to N.B. Applic. No. 42-58, reads:

"1. Envelope of building does not conform to the height district as specified on Zoning Map and Resolution for portion of proposed building for Park Ave. and 51 Street corner. Art. III Sect. 8(f) of the Zoning Res."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet 10 inches frontage by 150 feet and 155 feet in depth; that on the Park Avenue frontage there is an existing 12-story multiple dwelling, rising to a height of 161 feet 6 inches and covering the entire block front between East 50th Street and East 51st Street; that on the side streets there are some 4 and 5 story multiple dwellings; that it is proposed to demolish all these buildings for the erection of the new 30-story office building; and

WHEREAS, the applicant states that the height restrictions divide this Park Avenue frontage into two; that the southerly section, including East 50th Street, is in a two times district, while the northerly half is in a 1½ times district; that on June 28, 1940 the Zoning Resolution was amended so that in a two times district the permissible height is 1½ times the width of the street, while in a 1½ times district the height is 1¼ times the width of the street; that as a result of these restrictions, the southerly half can go 1½ times the width of the street before setbacks, while the northerly half can go only 1¼ before setbacks; that Park Avenue is actually 140 feet wide, but is limited to a 100 foot width in computing the height restrictions; and

WHEREAS, the applicant contends that in order to have a building which will be pleasing and practical, it is desired to have the northerly half of the same height as that permitted on the southerly section; that in order to obtain an architectural layout that will be harmonious, the entire parcel should be treated as one unit; that the present restriction splitting the parcel into two sections, is really spot zoning; that making the northerly half of small setbacks will create a distorted front with crags and precipices, almost akin to a view of the Swiss Alps; that Park Avenue actually is 140 feet wide and if the height limits were actually based on the actual width of the street, the building could be 280 feet high at the southerly end before setbacks, and 210 feet high at the northerly end; that the actual height proposed, 1½ times 100 feet limit, gives a frontage height of 150 feet before setbacks; that actually the setbacks start at the 14th floor, which is less than the existing front wall height of over 161 feet; that directly opposite, on the easterly side of Park Avenue, there is a permanent improvement, the St. Bartholomew Church, set back from the street level; that the proposed height requested can have no adverse effect in relation to this property; that when it is con-

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sidered that the present Park Avenue structure exceeds the permissible height, and that the southerly half conforms to the 2 times district, it is a great hardship to split this lot in two and say the north half must be designed on a 1½ basis, giving the distorted effect above referred to; and

WHEREAS, the applicant states that the present owner has held title to the property since July 16, 1958; that the assessed valuation of land is \$2,560,000 and of the building \$1,075,000 making a total of \$3,635,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the proposed equalization of setback heights to permit a symmetrical building does not increase the total square footage of the floors of the building but results in a reduction of about 10,000 square feet; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore entitled to relief as to height on the grounds of practical difficulty.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the height district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 as to height, to permit the equalization of the setbacks on Park Avenue and on the side streets, as proposed and indicated on plans filed with this application, marked "Received September 11, 1958", 8 sheets, as amended by revised plans marked "Received December 12, 1958", 6 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

543-58-BZ

APPLICANT—Boris W. Dorfman, for Big Bow Wow Corp., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence and business use district, the parking and storage of more than five (5) motor vehicles for patrons and employees of an adjoining restaurant.

PREMISES AFFECTED—92-05 163rd Avenue, northeast corner of 92nd Street, Block 14066, Lot 32 and 41, Howard Beach, Borough of Queens.

APPEARANCES—

For Applicant: Boris W. Dorfman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 162nd Avenue and 163rd Avenue are in residence and business use, D and G-1 area, class 1 height district; 92nd Street is in a residence use, G-1 area, class 1 height district; Cross Bay Boulevard is in a business use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated September 17, 1958 acting on Alt. Applic. No. 2236-58, reads:

"1. The parking storage of motor vehicles in a residence use district and extending into a business use dis-

trict is contrary to the Zoning Resolution. Article II Sections #3(9) & 4(15)."

and

WHEREAS, the applicant states that the premises consist of a plot, 76.26 feet frontage by 293.98 feet in depth; and

WHEREAS, the applicant states that parking of cars on Cross Bay Boulevard is not permitted, and the restaurant, having an official seating capacity for 154 people, located on an important highway and having no local clientele, requires considerable area for parking of its travelling patronage; and

WHEREAS, the applicant contends that due to failure to provide parking accommodations, this restaurant is subjected to great hardship; and

WHEREAS, the applicant states that the present owner has held title to the property since February 26, 1956 and that the assessed valuation of land is \$5,250; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which found that the street was not open, but felt that the application should be granted under certain conditions, to permit more parking facilities for the restaurant; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years, to permit the premises to be occupied for the parking of motor vehicles solely for the employees and patrons of the adjoining restaurant on Lot No. 28, as proposed and indicated on plans filed with this application, marked "Received September 19, 1958", 2 sheets, *on condition* that the plot shall be leveled substantially to the grade of 163rd Avenue; surfaced with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on the street line of the proposed 92nd Street a woven wire fence of the chain link type, not less than 5 feet, 6 inches in height, and continuing on the lot line between Lots 38 and 41 and a curbing in lieu of a fence along the lot line of Lot 28 for the full length to 163rd Avenue and returning on 163rd Avenue, with no entrance therein except from the restaurant yard to the parking area and a gate from the parking area to 163rd Avenue of similar construction as the fence and shall be kept closed when the parking lot is not in operation; that there may be a curb cut to 163d Avenue not over 15 feet in width, as shown; that during the term of this variance the premises shall be occupied for no other use; that such portable fire fighting appliances shall be maintained as the Fire Commissioner shall direct; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

582-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Sigal Realty Company, owner.

SUBJECT—Application October 8, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, for a temporary period of five (5) years in order to use the premises for parking of patrons' cars for Riccardo's Restaurant on Block No. 876, Lot No. 15, fee to be charged.

PREMISES AFFECTED—21-12 to 21-20 (21-16 official) 24th Avenue, south side, 87.95 feet west of 23rd Street and 24-09 21st Street and 21-07 24th Road, Block 874, Lot 70, Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Richard Corliesiero.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 2, 1958 after due notice by publication in the Bulletin; laid over to December 16, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, 24th Avenue and 23rd Street are in a residence use, D and E area, class 1 height district; 21st Street and 24th Road are in an E area, class 1 height district; that as of July 25, 1916 that part of the premises within 100 feet of 24th Avenue was in a business use district and at that same time the entire plot was in a 1¼ height district and class B area district; that the present use, height and area designations became effective December 14, 1934; and

WHEREAS, the decision of the Borough Superintendent, dated September 19, 1958 acting on Alt. Applic. No. 2042-58, reads:

"1. Proposed use of premises for parking of patrons cars for Riccardo's Restaurant on Block 876 Lot 12 (fee to be charged) and proposed business entrances (curb cuts) and sign on a lot located in a residence use district is contrary to Article II Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 111.90 feet frontage by 81.17 feet in depth, irregular, presently vacant; that it is proposed to use the premises for parking of patrons' cars for Riccardo's Restaurant on Block No. 876, Lot No. 12—fee to be charged; and

WHEREAS, the applicant states that within the affected area there are the following non-conforming uses, block 876, lot 12—restaurant; lot 1—store; lot 15—dry cleaners; block 890, lot 1—factory; and

WHEREAS, the applicant contends that the site and entire block 874 is under one ownership, except lots 81, 82, 83, 173 and 180, and the open area in question could legally be used for parking of cars for the dwellings on the same block under the same ownership; and

WHEREAS, the applicant states that the present owner has held title to the property since September 20, 1944 and that the assessed valuation of land is \$10,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7h for a term of five years to permit the premises to be occupied as a parking lot solely for the employees and patrons of the restaurant located in Block 876, Lot 12, opposite, *on condition* that all buildings and uses now on the premises shall be removed and the plot shall be leveled substantially to the grade of 21st Street and 24th Avenue and shall be surfaced with clean gravel or steam cinders and treated with a binder and properly rolled; that on all lot lines there shall be erected a woven wire fence of the chain link type not less than five feet six inches in height; that openings shall be permitted, where shown, consisting of two to 24th Avenue and one to 24th Road and one to 21st Street, of the width as shown; that such openings shall be equipped with gates of similar construction, with curb cuts opposite of the width as shown on such plans marked "Received October 8, 1958," 3 sheets and revised area plan marked received "December 15, 1958"; that proper bumpers shall be maintained at a suitable distance from such fences for protection thereto;

that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that at the entrance at 24th Avenue there may be a sign, as shown, advertising the restricted parking and storage use for Riccardo's Restaurant; that such signs shall not exceed ten square feet in area and shall not be illuminated nor extend beyond the building line; that during the term of this variance the premises shall be used for no other use than the parking as herein permitted; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

Adjourned: 4:10 P.M.

JOSEPH J. DOYLE, *Chief Clerk.*

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 16, 1958,
2 P.M.

Present: Chairman Murdock, Commissioner Foley and Commissioner Sleeper.

283-50-SA

APPLICANT—Automatic Burner Corporation, owner.

SUBJECT—Application reopened November 12, 1958 for amendment of resolution as to additional models of oil burners and permission to market under additional trade names—re ABC Oil Burner, Models 62 and 64, National US Oil Burner, Models 64-3-6065 and Thatcher Furnace Co., trade name Thatcher Oil Burner, Models 751-5 and 751-6; previously approved.

APPEARANCES—

For Applicant: Raymond P. Groves.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper..... 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 283-50-SA Vol. II

Subject: Amendment to resolution as to additional models of oil burners and permission to market under additional trade names.

Automatic Burner Corp., Chicago Illinois, requested by letter dated August 25, 1958 that the resolution adopted October 17, 1950 and amended at various times through May 22, 1956 under Calendar Number 283-50-SA be amended so as to include additional models of oil burners and permission to market under additional trade names. The application was reopened by vote of the Board, November 12, 1958.

Description

The requested models 66 and 69 are similar to the models previously approved. The requested models have been approved by the Underwriters' Laboratory under M.P.1160.

Recommendation

The Committee on Test recommends that the resolution adopted October 17, 1950 and amended at various times through May 22, 1956 be amended so as to include the additional models 66 and 69 and permission to market the approved ABC Oil Burners, Models 62, 64, 66 and 69 under the trade names of John Wood Company, Fluid Heat Oil Burner, Models 62, 64, 66 and 69 on condition that the requirements

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of the resolution adopted October 17, 1950 under Calendar Number 283-50-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't Engr.,
Committee on Test.

Resolved that the Board of Standards and Appeals does hereby *amend* the resolutions of October 17, 1950 through May 22, 1956 in accordance with the above report.

121-51-SM

APPLICANT—Coast Foundry & Mfg. Company, owner.
SUBJECT—Application January 13, 1958—1-B Master Anti-Siphonic Ballcock, approval of.

APPEARANCES—

For Applicant: Charles L. Kramer.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 121-51-SM

Subject: 1-B Master Anti-Siphonic Ballcock.

Coast Foundry & Mfg. Co., Los Angeles, California, filed January 13, 1951 an application with the Board of Standards and Appeals for approval of the 1-B Master Anti-Siphonic Ballcock under the provisions of C28-1277.0 Administrative Building Code and the Submerged Inlet Rules of the Board.

Purpose

To prevent back siphonage on a water supply line.

Description

The 1-B Master Anti-Siphonic Ballcock is a piston type valve in which neoprene washers are used to prevent air mixing with water. The valve is designed with a silencer chamber in which is installed a large neoprene washer to close off the vent holes in the top of the ballcock. A small neoprene washer acts as a back siphoning check on top of the silencer chamber.

The ballcock is to be so installed that the overflow pipe in the water closet tank will be at least 1 inch below the water feed opening of the ballcock.

Inspection and Test

The details of the valve were examined by Ass't. Engr. G. F. Sklenarik, Committee on Test and Mr. E. Bauman and Mr. J. Finnerty of the Department of W.S.G. & E. The ballcock was tested at Kent Avenue, Brooklyn, N. Y.

A letter from the Commissioner of W.S.G. & E. recommending approval of this device is on file and is part of this record.

Recommendation

On the basis of the examination and the data filed by the applicant, The Committee on Test recommends the approval of the 1-B Master Anti-Siphonic Ballcock for use in New York City when installed in accordance with this report and the requirements of the Administrative Code and the Submerged Inlet Rules of the Board, provided that the device shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 121-51-SM" or in lieu thereof within a circle around the periphery at the top the word "Approved" and below "B.S. & A.", in the center on

one side the letters "N.Y.C." and on the other side "121-51-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

568-51-SM

APPLICANT—Holmann & Barnard, Inc., owner.
SUBJECT—Application reopened October 15, 1958 for amendment of resolution as to additional design of wall tie—re Eraydo Alloy Zinc Cavity Wall Tie, Model 148-A; previously approved.

APPEARANCES—

For Applicant: Bernard Storch.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 568-51-SM.

Subject: Amendment to resolution as to additional design of wall tie.

Holmann and Barnard, Inc., New York, requested by letter dated September 29, 1958, that the resolution adopted November 20, 1951 under Calendar Number 568-51-SM be amended so as to include an additional design of wall tie. The application was reopened by a vote of the Board October 15, 1958.

Purpose

The material is to be used as a wall tie for anchoring hollow wall withes together.

Description

The new design tie is made of the same material as the previously approved tie. The difference being that the cross section is rectangular in shape. The cross-sectional area is 0.051 square inches; the same as those previously approved.

Inspection and Test

Comparative tests in compression, tension and bond were conducted on the requested design and those previously approved and in all instances the requested design carried greater loads. The complete test report of Pittsburgh Testing Lab. is on file with and is part of the record.

Recommendation

The Committee on Test recommends that the resolution adopted November 20, 1951 under Calendar Number 568-51-SM be amended so as to include the rectangular design of wall tie known as 148-EA as herein described, on condition that the requirements of the resolution adopted November 20, 1951 under Calendar Number 568-51-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 20, 1951 in accordance with the above report.

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108-52-SM

APPLICANT—Melvin G. Quayle, for Zonolite Company, owner.

SUBJECT—Application January 2, 1952—Zonolite Vermiculite Gypsum Plaster, approval of.

APPEARANCES—

For Applicant: George E. Strehan and M. G. Quayle.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 108-52-SM.

Subject: Zonolite Vermiculite Gypsum Plaster.

M. G. Quayle for Zonolite Co., Chicago, Illinois, filed January 2, 1952 an application with the Board of Standards and Appeals for approval of the material known as Zonolite Vermiculite Gypsum Plaster under the provisions of C26-239.0, C26-600 through C26-603.0 and C26-615.0 Administrative Building Code.

Purpose

The material is to be used as a short span fire resistive ceiling.

Description

The vermiculite, itself, has been approved by the Board under Calendar Number 581-48-SM and the use of this vermiculite, with gypsum, and in conjunction with metal lath forms a three hour short span fire resistive ceiling.

The lath, 3.4 pound diamond mesh rib lath, is attached directly to the lower flanges of the supporting joists or beams which are spaced at a maximum of 30 inches on centers. The plaster is then applied in three coats to the lath. The scratch coat is of a mix of 100 pounds of gypsum to 2 cubic feet of Zonolite vermiculite; the brown coat is a mix of 3 cubic feet of Zonolite vermiculite to 100 pounds of gypsum, and the finish is a hard coat finish plaster. The overall thickness being one inch.

Inspection and Test

A ceiling, constructed as described, attached to the lower flange of a junior beam was tested in accordance with the requirements of C26-600.0 through C26-603.0 Administrative Building Code; at Finks Laboratory, Brooklyn, N. Y., in the presence of Asst. Engr. J. A. Darts, Committee on Test.

The average starting temperature was 77° F. and at 3 hours, the average temperature reading on the back of the lath was 877°F. or a rise of 800°F. The complete report is on file with and is part of the record.

Recommendation

On the basis of the test and the data filed by the applicant, the Committee on Test recommends the approval of the Zonolite Vermiculite Gypsum Plaster of a mix as herein described for use as a short span fire resistive ceiling when the plaster is applied to 3.4 pound diamond mesh rib lath, which is attached directly to the lower flanges of the supporting joists or beams. The Committee further recommends that the spacing of joists, beams or girders shall not be spaced more than thirty (30) inches on centers and the use of this type of construction shall be limited in Class I construction, to the provisions of C26-615.0 Administrative Building Code, Namely that this ceiling may be used in areas of twenty five hundred (2500) square feet or less provided such areas are completely firestopped and further that all plans submitted to the Department of Buildings showing the proposed use of such construction shall be marked "Approved by the Board of Standards and Appeals

for use in New York City under Calendar Number 108-52-SM".

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Ass't. Engr.,

GEORGE F. SKLENARIK,

Ass't. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

358-52-SA

APPLICANT—National Airoil Burner Company, owner.

SUBJECT—Application May 7, 1952—National Airoil Rotary Oil Burner, Model D, Direct Driven and Model B, Belt Driven, approval of.

APPEARANCES—

For Applicant: Lawrence C. Schanne.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 358-52-SA.

Subject: National Airtoil Rotary Oil Burners, Models D—Direct Driven—and Model B—Belt Driven.

National Airoil Burner Company, Philadelphia, Pa., filed May 7, 1952 an application with the Board of Standards and Appeals for approval of the National Airoil Rotary Oil Burners, Models DR & BR for use in New York City under the provisions of C26-191.0 Administrative Code and the Oil Burner Rules of the Board.

Purpose

Oil burners for firing heating and process boilers.

Description

The National Airoil Burner is a mechanical draft, horizontal, direct or belt driven rotary atomizing oil burner. It consists of a totally enclosed motor, hollow shaft through which the oil is fed to the atomizing cup and on which shaft is mounted a blower, a worm driven slow speed rotary fuel pump (optional) and other parts such as oil pressure regulating valve, pressure gauge, indicating oil regulating valve, air control door and fuel oil strainer.

The oil fed through the hollow shaft to the inside surface of the rotating atomizing cup is drawn to a thin film, sprayed off the edge of the cup by centrifugal force and projected into the furnace by a blast of air from the blower. This primary or atomizing air is drawn through the double casing of the motor and is discharged through an air nozzle concentric with and surrounding the rotating cup. Secondary combustion air enters the furnace through an air duct beneath the burner and regulated by means of a cast iron door.

The burner is designed to burn No. 4, 5 and 6 oil. When residual fuel is to be used, a Wells electric preheater is made part of the burner assembly.

The Model DR or BR burners are available with the following operating characteristics.

1. Manual operation requiring manual ignition of the oil and manual variation of flame size. A no-voltage release switch is provided with each pump type burner to prevent discharge of fuel in the event of power failure.

2. Semi-Automatic also requires manual ignition but automatically varies the flame size to meet a fluctuating steam

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or heat demand. Electronic safety controls—Minneapolis Honeywell or Fireye are used to guard against flame failure, also controls are installed to check low water, excess pressure or temperature.

3. Automatic operation—ignition is by electric spark and gas pilot of 50 second duration until the flame has been established after which the flow of gas and spark are shut off. Electronic safety controls are also used as in the semi-automatic models.

Low flame start is available on automatic models. It limits the initial oil delivery to approximately $\frac{1}{4}$ the maximum capacity of the burner during the starting period.

The burners are made in the following capacities:

Burner Size	Gallons/hour	H.P.
2	2½ to 10	30
3	5 to 15	50
4	10 to 30	100
5	15 to 50	165
6	20 to 70	230
7	30 to 90	300

Inspection and Test

A typical burner installation was inspected at 5702 Avenue U, Brooklyn, by Ass't. Engr. G. F. Sklenarik and Ass't. Arch't. T. W. Farricker, Committee on Test, also Mr. Schanne representing the applicant. The burner functioned properly on No. 6 fuel oil.

The Model DR burner has been tested and approved by the Underwriters' Laboratories MP 703, 704.

Recommendation

On the basis of the inspection and the data submitted by the applicant, the Committee on Test recommends approval of the National Airoil Rotary Oil Burner, Models DR and BR for use in New York City when installed and operated in accordance with the Oil Burner Rules of the Board provided that each burner shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 358-52-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

39-56-SA

APPLICANT—National Foam System Inc., owner.
SUBJECT—National Aer-O-Foam System (fire protection), approval of.

APPEARANCES—

For Applicant: R. M. Homer.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 39-56-SA.

Subject: Aer-O-Foam System (fire extinguishing system).

R. M. Homer for National Foam System, Inc., Westchester, Pa., filed January 20, 1956 an application with the Board of Standards and Appeals for approval of the Aer-

O-Foam System under the provisions of C19-161.0 Administrative Code.

Purpose

The appliance is a foam system for extinguishing flammable liquid fires.

Description

The system consists of Foam Chambers, Foam Makers, Foam Nozzles, Overhead Spray Deflectors and Pump Proportioners.

The MCS Foam Chambers and Foam Makers are devices designed to operate together as a paired unit in the production of mechanical (air) foam for application to flammable liquids. They are manufactured in four sizes, MCS-9, MCS-17, MCS-33 and MCS-55, for installation at the top of storage tanks containing flammable liquids. When fed with a solution of AER-O-FOAM Liquid in water, proportioned to 3% of AER-O-FOAM Liquid and 97% water, the foam maker aspirates air and the foam chamber mixes the air and solution so that the paired unit produces fire extinguishing foam. This foam is applied to the surface of the flammable liquid without undue agitation by the spreading of the foam along the tank shell horizontally through the action of the deflector, and then by flowing it down the shell.

The construction of the foam maker-foam chamber and deflector assembly is based on the necessity of having explosion resisting strength in the event of the roof blowing off, and on the necessity of containing the product vapors during storage, as well as being based on the production of foam.

The deflector is installed on the inside of the storage tank and over the discharge nozzle of the foam chamber.

The foam maker is a fabricated steel section with a standard pipe flange on the lower end, and a male tapered pipe thread on the upper end to attach the foam maker to the foam chamber. Each foam maker is furnished with an orifice plate of brass or stainless steel 1/16" thick which is placed between two flange gaskets. The orifice opening in the plate is properly sized to pass the correct amount of mechanical foam solution to meet the requirements of the National Board of Fire Underwriters' Pamphlet No. 11, dated September 1950 and amended August 1951. The turbulence necessary for the air aspiration of the foam maker is accomplished by stainless steel cross bars securely fitted into the foam maker at a distance from the orifice plate. To keep foreign matter and insects from entering the air inlet of the foam maker, a conical screen is secured to the air inlet boss.

The foam chamber body is fabricated entirely of steel except for a glass diaphragm which is mounted inside the housing and on top of the riser pipe, and except for a brass cone mounted inside the riser pipe on steel cross bars.

The function of the diaphragm is to contain the products' vapor and yet shatter to clear opening of the riser when foam pressure is applied. The function of the cone is to produce additional mixing of the air and foam liquid solution, and this in turn has produced a much smaller foam chamber at a considerable saving in weight. The top of the chamber is provided with an inspection hatch. On the inside of the tank opposite to the foam chamber is the deflector which is a composite of the four sizes of assemblies and the various methods of attaching the chamber to the flammables tank. The position on the tank is such that the diaphragm is just above the uppermost liquid level in the tank.

The weights of the MCS assemblies are:

MCS-9	68 lbs.
MCS-17	97 lbs.
MCS-33	142 lbs.
MCS-55	260 lbs.

The Type PW AER-O-FOAM Nozzle is a device designed to produce large quantities of mechanical (air) foam through a high capacity foam maker, and to project the foam through a long foam range. The solution of 3% AER-O-FOAM liquid and 97% water must be proportioned by separate means. The use of the nozzle is principally in large

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areas such as spills, dike areas, and dock areas, but it could also be used on storage tank fires.

The nozzles are manufactured in two sizes which are internally identical except for dimensions, but which differ considerably externally. The PW-50, capacity 500 gpm of solution at 150 psi inlet, is primarily a monitor nozzle with a spray device. The PW-31, capacity 310 gpm solution at 150 psi inlet is primarily a hand line nozzle and is therefore equipped with handles. The material is all non-corroding; castings are of red brass, studs and fasteners of bronze, rivets of copper, and steel where used is stainless. The directional tube is heat treated after spinning.

This nozzle consists of four main parts. These parts are:

1. The foam Maker is a device for creating turbulence in the stream, without external means, for the purpose of breaking up the stream and thereby allowing air to be entrapped in the Directional Tube. This foam maker consists of an enlarged sharp edge orifice surrounding a turbulator tube held by a cast in spider in the inlet body. A 2½" swivel connects the nozzle to the monitor or source of solution;

2. an Air Inlet Casting serves the purpose of holding the Directional Tube, holding the operating handle and locking mechanism of the spray deflector, and providing the opening for the admission of the air required for foam production;

3. the Directional Tube provides the mixing chamber of the nozzle and reassembles the dispersed stream in order to project the foam in a straight stream for the long range operation;

4. the Spray Deflector is a mechanical device consisting of five deflector castings which have a deflector on the inner end (inside of nozzle) and a cam slot arrangement on the other or housing end. One side of the cam bears on the end retaining ring, the other the operating pin ring which rotates in the housing. This partial rotation is produced by a mechanical linkage from the inlet end of the nozzle. By moving the operating lever, the pin ring rotates, the pins slide in the cam slot while pushing the vane casting around its bearing. By moving the lever an infinite variety of spray from the 60-degree cone to straight stream can be obtained, if desired the lever can be locked in 10 different settings.

The AER-O-FOAM Nozzle also consists of four major parts, the foam maker, air inlet casting, and directional tube are similar to, and serve the same purpose as the PW-50 Nozzle. The major difference is the fourth part which in this nozzle comprises the handles for hand-line operation. At the foam maker is located a dual heavy handle, for the entire thrust is taken at the foam maker. This handle is swiveled to permit adjustment to the hose strain. The handle at the discharge tip is a fixed ring of lighter construction since it is used for guiding the stream only.

The Type SD-B Overhead Spray Deflector when combined with the SS Type of Foam Maker is a paired unit device which is designed to produce mechanical (air) foam and distribute it in an even gentle blanket. It is designed to be used with a solution proportioned separately, or to pickup 3% of AER-O-FOAM Liquid through a venturi action in the proportion of 3% AER-O-FOAM Liquid to 97% water. The unit is normally located near the ceiling to make use of the spreading and blanketing effect of the deflector and the gentle application of the evenly dispersed foam. Such areas as pump wells, spray equipment, small flammables containers, and oily floors can be protected.

The units are made in three sizes with (1) the SS-1½ Foam Maker combined with the SD-1½B Overhead Deflector, (2) the SS-3 with the SD-3B, and (3) the SS-6 with the SD-6B. The action of this type unit is as follows: the water stream enters through an orifice or jet and around the cone holder into the venturi section; at the venturi a vacuum is created which draws in the AER-O-FOAM Liquid from the container via the connector tube; the water and liquid are mixed by the cone which breaks up the jet stream and which also causes the turbulence necessary for the mixing of the solution and the air; the air is drawn into the discharge tube through the foam maker air inlet and further mixed by the discharge strainer in the tube; the

resulting foam is spread gently and evenly by the dispersion casting to give the spray effect of the foam.

The materials used in the construction of the unit are: for the inlet screen, perforated sheet brass; for the foam maker body, cast red brass; for the cone and support bar, hard brass rod; for the discharge tube-deflector tube combination, standard iron pipe welded together via a carbon steel ring; for the discharge screen, perforated steel sheet; for the deflector casting, cast red brass; for the dispersion casting, cast aluminum bronze.

The Pump Proportioner is a device designed to deliver AER-O-FOAM Liquid into the suction side of a pump in the correct proportion of 3% AER-O-FOAM Liquid and 97% of water. It consists of a small proportioner venturi connected between the suction side of the pump and the discharge side so that a small portion of the water from the discharge passes through the venturi, creating a vacuum which picks up the proper amount of AER-O-FOAM Liquid. The resultant solution passes through the pump and is discharged at the desired pressure for the foam making devices being employed. Since the pump discharge is solution, some of this solution returns through the pump proportioner venturi; but the design has taken this into consideration in the metering of the liquid. In this type of proportioning it is desirable to maintain the suction pressure of the pump at approximately 0 psi gauge to ensure a constant AER-O-FOAM Liquid input. If the water supply is under pressure, a valve should be installed on the suction side of the pump, but upstream of the proportioner discharge to regulate this pressure. Pressures below 0 psi gauge will not materially effect the proportioning.

The E-60NA Proportioner "A" for 3% metering consists of three main parts. The body casing orifice contains the orifice or jet, and a chamber into which the AER-O-FOAM Liquid is drawn when a vacuum is created by the venturi in the body casting receiver. The orifice, in the form of a jet, meters the water (solution) from the pump discharge. The venturi in the receiver draws the liquid from the chamber into the discharge and then delivers it to the suction side of the pump. In order to meter the flow of AER-O-FOAM Liquid for the various solution flows of 60, 120, 240, 360, and 480 gpm, the metering valve is orificed with corresponding holes which will correctly proportion 3% of AER-O-FOAM Liquid to 97% of water. The E-60N Pump Proportioner is brass throughout.

Inspection and Test

A fire test was conducted at Paulsboro, New Jersey in the presence of Ass't. Engrs. J. A. Darts and G. F. Sklenarik, Committee on Test.

The fire was in a pit, 40 feet by 20 feet and the fuel was 5½ inches of No. 2 fuel oil ignited with gasoline and the area covered was 750 square feet. The application rate was one gallon solution per 10 square feet. The equipment used in the test was a chamber and foam maker with .725 inch orifice and 61 p.s.i. at the orifice. The preburn time was 1 minute 9 seconds from ignition to foam generation; the coverage time was 1 minute 50 seconds, the control time was 2 minutes and extinguishment was 2 minutes 10 seconds. The amount of foam used was 7 gallons, 3% regular. There were no slip planes and the blanket thickness was 3½ inches.

The system has been approved by the Underwriters' Laboratories, the report being on file with and is part of the record.

Recommendation

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test recommends the approval of the AER-O-FOAM System as manufactured by National Foam System, Inc., for use under the provisions of C19-161.0 Administrative Code, on condition that the systems are installed in accordance with this report, the requirements of the Underwriters' Laboratory and the Factory Mutual reports and provided further that the foam shall be introduced or flowed on the top surface of the

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flammable liquid, and not impinge on the surface so as to submerge the foam below the surface of the flammable liquid; and that sufficient air foam liquid shall be provided at each installation to comply with all rules, laws, etc., having application.

The Committee further recommends that plans submitted to the Department of Housing and Buildings and the Fire Department showing the installation shall be marked or stamped: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 39-56-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

596-56-SA

APPLICANT—Vega Industries, Inc., owner.

SUBJECT—Application reopened November 25, 1958 for amendment of resolution—re Comforteer Gas-fired room or Space Heater, Unvented, Models 1125-S, 118-S, 1225-S, 135-S, 1112-W and C; previously approved.

APPEARANCES—

For Applicant: J. A. Arnao.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper..... 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 596-56-SA

Subject: Amendment to resolution.

Vega Industries, Inc., Chattanooga, Tenn., requested by letter dated November 3, 1958 that the resolution adopted April 15, 1958 under Calendar Number 596-56-SA be amended so as to include the Comforteer Gas Fired Unvented Room or Space Heaters, Models 150 and 150A and that these heaters and those previously approved under Calendar Number 596-56-SA also be approved for use in concrete and plaster construction drying and the heating of construction field offices in accordance with the requirements of the Fire Commissioner. The application was reopened by a vote of the Board, November 25, 1958.

Description

The Comforteer, Model 150 and 150A heaters are similar to the models previously approved except that they are rated at 50,000 Btu per hour. The 150A Model is equipped with a safety pilot and automatic gas valve, the 150 Model is not.

Recommendation

The Committee on Test recommends that the resolution adopted April 15, 1958 be amended so as to include the Comforteer Gas Fired Unvented Space Heater, Models 150 and 150A and that such heaters and those previously approved under Calendar Number 596-56-SA also be permitted for use as unvented salamanders in the drying of concrete and plaster construction or for heating construction field offices when equipped with safety pilots and automatic gas valves and when installed in accordance with the requirements of the Fire Commissioner and Rule 2.7 of the Rules of the Board for the Erection, Alteration, Repair, Excavation for and Demolition of Buildings and further that the require-

ments of the resolution adopted April 15, 1958 under Calendar Number 596-56-SA be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 15, 1958 in accordance with the above report.

860-56-SM

APPLICANT—United States Gypsum Co., owner.

SUBJECT—Application December 9, 1956—USG Fire Rated Structo-Lite Basecoat Plaster (fireproofing), approval of.

APPEARANCES—

For Applicant: William W. Bainbridge.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 860-56-SM

Subject: U.S.G. RED TOP Fire Rated Structo-Lite Basecoat Plaster.

The United States Gypsum Company, Chicago, Illinois, filed an application with the Board on December 9, 1956 for approval of their mill mixed gypsum plaster and Perlite aggregate to be used as a Fire Rated Basecoat plaster for protection of steel beams, floors, open web joists and columns.

Purpose

The material is to be used for 4 Hr. fire resistive structural steel columns and also as a 3 Hr. fire resistive floor and ceiling construction and 4 Hr. fire resistive construction for beams.

Description

The Perlite aggregate mined and expanded by U. S. Gypsum Company has been previously approved under Calendar Number 782-52-SM. The Gypsum plaster used has been previously approved under Calendar Number 800-39-SM. The Mill mixed U.S.G. Perlite and U.S.G. gypsum plaster has been previously approved under Calendar Number 800-39-SM.

The United States Gypsum Company Red Top Fire Rated Structo-Lite, approval of which is now requested, differs from previously approved material in that it bears Underwriters' Laboratory labels and is under re-examination and label service.

Inspection and Test

A steel column was fireproofed with metal lath and U.S.G. RED TOP Fire Rated Structo-Lite plaster and tested at the Underwriters' Laboratory in accordance with ASTM E119-47 as required by section C26-6090 of the Administrative Building Code of the City of New York. The details of the construction were as follows:

The vertical column consisted of a 10", 49 lbs. per foot, square H. Beam. 3.4 lb. per square yard expanded metal lath was shaped and wired around the column over metal lath spacers. The spacers consisted of cut pieces of 3/4" cold rolled channels 3 1/2" long, bent into angles with 1 3/4" legs. These spacers were wire tied to the inside of the shaped metal lath at each outside corner of the column, at top and bottom and 36" to 48" on centers vertically along these

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outside corners. Corner beads were fastened to each outside corner vertically to give $1\frac{7}{8}$ " plaster grounds over the face of the metal lath.

The column was then plastered with 2 coats of U.S.G. RED TOP Fire Rated Structo-Lite base-coat plaster and finished with $1/16$ " thick gauged lime putty white coat finish, the total thickness being $1\frac{7}{8}$ " from the face of the lath. At the flanges, the plaster was forced thru the lath to fill up the $\frac{1}{2}$ " space behind the lath, so that the total thickness of plaster on the flanges only, from flange to outside of finish white coat was $2\frac{1}{2}$ ".

At 4 hours in the standard fire test, the maximum average temperature was 999 degrees F. and the maximum individual temperature was 1008 degrees F. The limitations for qualification are 1000 degrees F. average at any section or 1200 degree F at any point.

The U.S.G. RED TOP Fire Rated Structo-Lite base coat plaster will be listed as Type R by the Underwriters for a 4 hour column and carry Underwriters' Labels. Retardant 3574-11, dated September 15, 1958 is in the file and is part of the record.

An additional fire test on a Milcor cellular steel floor, with steel beam, ventilating ducts and electrical outlets all protected by a hung metal lath ceiling plastered with U.S.G. RED TOP Fire Rated Structo-Lite basecoat plaster conducted at the Underwriters' Laboratory. The test procedure was in accordance with ASTM E119 as required by section C26-609.0 of the Administrative Building Code of the City of New York.

The details of the test assembly were as follows:

The cellular steel floor was Milcor and is listed by the Underwriters' Laboratories. The top sheet was 18 and the bottom sheet 16 U.S.G. gauge steel. The concrete was sand and gravel and applied to a depth of 2" over the top of the cells. The beam was 12" 27 lbs. per ft. wide flange structural steel member. The ventilating ducts were 24 U.S.G. gauge galvanized iron supported by 1" by $\frac{1}{8}$ " hangars.

The ceiling hangars were #8 gauge galvanized wire spaced 36" on centers along $1\frac{1}{2}$ " cold rolled runner channels which were spaced 48" centers. The cross furring was $\frac{3}{4}$ " cold rolled channels spaced 12" on center. The metal lath attached to this grillage was $\frac{3}{8}$ " diamond mesh weighing 3.4 pounds per square yard. The 4" octagonal galvanized electrical outlet boxes and cover plates are listed by the Underwriters. Two each were used.

The 6" by 14" branch air ducts terminated in 12" inside diameter air grilles. Each branch duct had a 13" by 13" 14 gauge steel damper held open by a 160 degree F. fusible link, listed by Underwriters. The face of the metal lath was $3\frac{1}{2}$ " below the flange of the beam.

The metal lath was plastered with a scratch and brown coat of U.S.G. RED TOP Fire Rated Structo-Lite gypsum basecoat plaster to a total thickness of $\frac{3}{4}$ " from the face of the lath including $1/16$ " gauged lime putty coat.

The test assembly was loaded to a total live and dead load of 106 pounds per square foot calculated to give a deflection of $1/360$ of the span. Live load was 61 lbs. The furnace was heated in accordance with E119 for four hours and five minutes. The maximum limiting temperature of the top side of the steel deck and concrete assembly was reached at 3 hours and 48 minutes.

This was immediately followed by the hose stream test consisting of a 45 pound per square inch water stream with a $1\frac{1}{8}$ " nozzle applied for 7 minutes and 45 seconds at a distance of 20 feet and at an angle of 70 degrees from the normal. The hose stream did not penetrate the assembly.

The test assembly was allowed to cool and then within the required 24 hour limit was subjected to an additional live load of 61 pounds per square foot. The additional deflection, due to the double loading was .26 inches. The maximum temperature on the beam at 4 hours and five minutes was 950 degrees F.

Based on the test conducted on the assembly as described above, the Underwriters list the floor as a 3 hour floor and ceiling design and the beam as a 4 hour beam providing that there is not more than one electrical outlet in each 90 square

feet of ceiling area, and providing the duct opening does not exceed 113 square inches in each 100 square feet of ceiling area, and providing U.S.G. RED TOP Structo-Lite Fire Rated gypsum base coat plaster is used.

Underwriters' Laboratory report Retardant 3574-6 dated July 25, 1957 is in the file and is part of the record.

Recommendation

Based on the test conducted at the Underwriters' Laboratories for the applicant and the data submitted and previous data and tests submitted and approval there of by the Board, The Committee on Tests recommends, that a steel column enclosed in 3.4 pound lath spaced $\frac{1}{2}$ " from the flanges of the column, and plastered with U.S.G. RED TOP Fire Rated Structo-Lite Basecoat plaster and $1/16$ " gauged lime putty finish, to a total thickness of $1\frac{7}{8}$ " with the $\frac{1}{2}$ " space behind the lath at the flanges filled with the same U.S.G. RED TOP Fire Rated Structo-Lite basecoat plaster, so that the total thickness at the flanges is $2\frac{1}{2}$ " from the face of the flange, be approved as a four hour column for use in all classes of construction under sections C26-88; C26-178; C26-191 and C-26-239.0 of the Administrative Building Code.

The Committee on Test further recommends that an assembly of Milcor cellular floor, with a topping of 2" of stone concrete above the cells and a suspended furred and lathed metal lath plastered ceiling the face of the metal lath being not less than $3\frac{1}{2}$ " below the beam flange, and the metal lath plastered to a total thickness of $\frac{7}{8}$ " with U.S.G. RED TOP Fire Rated Structo-Lite basecoat plaster which includes the $1/16$ " gauged lime putty finish, providing there is not more than $\frac{1}{4}$ inch electrical outlet box per 90 square feet of ceiling area and providing the air duct openings are not greater than 113 square inches for each 100 square feet of ceiling area, protected with a 14 USS gauge steel damper held open by a 160 degree F fusible link listed by the Underwriters' Laboratory, be approved as a 3 hour floor and ceiling construction with the beam rated 4 hours, for use in all classes of construction under sections C26-88; C26-178; C26-191 and C26-239.0 of the Administrative Building Code.

The Committee on Test further recommends that the approval for the 4 hour column, the 3 hour cellular floor and its 4 hour supporting beam are on condition that the methods of assembly are in accordance with the test assembly described in Inspection and Test above, and that each bag of U.S.G. RED TOP Fire Rated Structo-Lite Basecoat plaster is stamped, tagged, labeled or printed, "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 860-56-SM".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

144-57-SM

APPLICANT—Masonite Corp., owner.

SUBJECT—Application January 30, 1957—Masonite Peg-Board approval of.

APPEARANCES—

For Applicant: S. B. Matthews, Jr. and J. H. Mein.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

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THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 144-57-SM.

Subject: Masonite Peg-Board.

Masonite Corporation, Chicago, Illinois, filed January 30, 1957, an application with the Board of Standards and Appeals for approval of Masonite Peg-Board for use in New York City under the provisions of C26-191 of the Administrative Building Code.

Purpose

For voluntary use in schools to display maps, graphs, books, etc.

Description

Peg-Board panels to be applied in accordance with manufacturer's recommendations as shown in Masonite Corporation Technical Bulletin No. A-239-4, except that glass-wool batts shall be installed behind all Peg-Board panels.

The following Masonite Peg-Board products submitted for approval:

THICKNESS	Type of MATERIAL
1/8"	Standard Presdwood
1/8"	Tempered Duolux
1/8"	Leatherwood
1/8"	Black Tempered Presdwood
1/8"	Primecote Standard Presdwood
1/8"	Primecote Tempered Duolux
3/16"	Tempered Duolux
1/4"	Tempered Duolux
1/4"	Black Tempered Presdwood
1/4"	Primecote Tempered Duolux

Perforations: All 1/8" and 3/16" thick material has 3/16" diameter holes, 1" on center. All 1/4" material has 9/32" holes, 1" on center.

The Primecote surface is not a final finish. Paint, enamel or other types of finish should be applied after installing the panels. The composition and color of the finishing material used and the final results desired will determine the number of coats required. With most common types of finishes, a one-coat application will be adequate.

Lacquers, enamels, flat and semi-gloss oil base paints and emulsion paints can be applied no previous preparation of the Primecote surface is required other than to remove any dirt or foreign material which may have adhered to the surface due to handling. When necessary, light washing with water or with a mild soap and water will usually clean the surface satisfactorily.

Panels should be fastened to wood framing members or furring strips spaced not more than 16" o.c. Furring strips should be of sufficient thickness to provide adequate hanger clearance. Fasten panels at the center and work toward the edges. Do not butt panels tightly together, but bring to moderate contact. Brads and nails should penetrate 1" into the nailing base whenever possible. To conceal brads countersink and fill with putty after priming. When fastening with screws pre-drill or use existing holes in Peg-Board panels.

Small panels may be fastened to a solid backing such as a door, etc., with round head wood screws and fiber spacers.

Panel Thickness	Fastener	Spacing Intermediate Supports	Around Edges
1/8" & 1/4"	Spread woodworking glue over framing members and fasten with 16 gauge Brads	6"	4"
1/8"	5/8" Round Head Wood Screws	12"	6"
1/4"	3/4" Round Head Wood Screws	12"	6"
1/8" & 1/4"	4d Cement Coated Sinker Nails	6"	4"
	1 1/4" Drive Screws	6"	4"
	1 1/4" Ring Grooved Nails	6"	4"

Fiber spacers shall be a minimum of 3/8".

Furring strips shall be a minimum of 3/4" x 3/4".
Corner construction for bevel edge shall be 5/8" x 5/8".
Corners having metal corner moulding shall be 3/4" x 3/4".
Hooks, Brackets, Easels, Hanger Bars, Literature, Racks and Miscellaneous, shall be of the size recommended by the manufacturer for 1/8" & 1/4" Masonite "Peg-Board" Panels.

Inspection and Test

Masonite "Peg-Board" Panel was examined at the Board of Standards and Appeals by Ass't. Engineer John A. Darts.

Recommendation

On the basis of the inspection and data filed by the applicant, the Committee on Test recommends the approval of Masonite Peg-Board for voluntary use in schools in New York City under the provisions of C26-191.0 of the Administrative Building Code, on condition that the "Peg-Board" be backed up by an incombustible backing. All cartons or bills of lading shall be marked or stamped "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 144-57-SM".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this material in accordance with the above report.

996-57-SM

APPLICANT—Borden Chemical Company, owner.

SUBJECT—Application reopened November 5, 1958 for amendment of resolution as change in trade name—re Vitro-Bond self curing portland cement mortar for setting ceramic tile; previously approved.

APPEARANCES—

For Applicant: Joseph F. Kiernan and A. J. Cousens.

ACTION OF BOARD—Resolution amended in accordance with the report of Committee on Test.

THE VOTE—

Affirmative Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 996-57-SM

Subject: Amendment to resolution as to change in trade name.

Borden Chemical Company, Middlesex, New Jersey, requested by letter dated September 2, 1958 that the resolution adopted June 24, 1958 under Calendar 996-57-SM be amended so as to show a change of trade name. The application was reopened by a vote of the Board November 5, 1958.

Recommendation

The Committee on Test recommends that the resolution adopted June 24, 1958 under Calendar Number 996-57-SM be amended so that the approved self curing portland cement mortar for setting ceramic tile may be marketed under the trade name of PLACCO 400 Series Thin-Bed Mortars for Real Clay Tile on condition that the requirements of the resolution adopted June 24, 1958 under Calendar Number 996-57-SM be complied with.

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

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Resolved that the Board of Standards and Appeals does hereby *amend* the resolution of June 24, 1958 in accordance with the above report.

37-58-SM

APPLICANT—National Gypsum Co., for Baldwin-Hill Co., owner.

SUBJECT—Application January 27, 1958—Perimsul Perimeter Insulation with additional trade name Gold Bond Thermo-Bloc Perimeter Insulation, approval of.

APPEARANCES—

For Applicant: John H. Waters.

ACTION OF BOARD—Material approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 37-58-SM.

Subject: Perimsul Perimeter Insulation, with additional trade name Gold Bond Thermo-Bloc Perimeter Insulation.

The National Gypsum Company, Buffalo, New York, filed January 27, 1958 an application with the Board of Standards and Appeals for approval of Perimsul Perimeter Insulation also marketed under the additional trade name Gold Bond Thermo-Bloc Perimeter Insulation, manufactured by the Baldwin-Hill Company, Trenton, New Jersey under the provisions of C26-191.0, C26-535.0, and C26-688.0 Administrative Building Code.

Purpose

The material is to be used as thermal insulation and as a fire stopping material.

Description

The material is a semi-rigid incombustible material composed of spun mineral wool fibers processed from a molten state to form a semi-rigid felt. It has no surface membranes and does not rot, decay, nor is it affected by moisture. It is used for thermal insulation, above or below ground, and for fire stopping.

It is manufactured in thicknesses of $\frac{3}{4}$ inch, $1\frac{1}{2}$ inches and 2 inches; widths of 12 inches, 18 inches and 24 inches; and 48 inches in length.

Inspection and Test

Samples of the material were examined by Ass't. Engr. J. A. Darts, Committee on Test and found to comply with the requirements of C26-88.0 and to be of the sizes and thickness herein described.

Recommendation

On the basis of the inspection and the data filed by the applicant, the Committee on Test recommends that Perimsul Perimeter Insulation, also marketed under the trade name Gold Bond Thermo-Bloc Perimeter Insulation, as having met the requirements of C26-88.0 be approved for use as thermal insulation and fire stopping material under the provisions of C26-191.0, C26-535.0 and C26-688.0 Administrative Building Code on condition that each bag or carton in which the material is marketed shall be tagged, stamped, or labeled as follows: "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 37-58-SM".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this material in accordance with the above report.

228-58-SA

APPLICANT—John J. Nesbitt, Inc., owner.

SUBJECT—Application April 10, 1958—Nesbitt Suspended Gas-fired Unit Heater, (various models and trade names), approval of.

APPEARANCES—

For Applicant: John C. Bordee and Thomas F. Byrne.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Cal. No. 228-58-SA.

Subject: Nesbitt Suspended Gas-fired Unit Heater, Models K-25-F, K-35-F, K-50-F, K-75-F, K-100-F, K-125-F, K-150-F, K-175-F, K-200-F, K-250-F, K-50-B, K-75-B, K-100-B, K-125-B, K-150-B, K-175-B, K-200-B, K-250-B to be marketed also as ILG, Models 25-M, 35-M, 50-M, 75-M, 100-M, 125-M, 150-M, 175-M, 200-M and 250-M; Webster, Models WK-25, WK-35, WK-50, WK-75, WK-100, WK-125, WK-150, WK-175, WK-200 and WK-250; Grinnell, Models P-25, P-35, P-50, P-75, P-100, P-125, P-150, P-175, P-200 and P-250; Sunyaire, Models CK-25-F, CK-35-F, CK-50-F, CK-75-F, CK-100-F, CK-125-F, CK-150-F, CK-175-F, CK-200-F, CK-250-F, CK-25-B, CK-35-B, CK-50-B, CK-75-B, CK-100-B, CK-125-B, CK-150-B, CK-175-B, CK-200-B and CK-250-B; Gordon, Models GUF-25, GUF-35, GUF-50, GUF-75, GUF-100, GUF-125, GUF-150, GUF-175, GUF-200, GUF-250, GUB-25, GUB-35, GUB-50, GUB-75, GUB-100, GUB-125, GUB-150, GUB-175, GUB-200 and GUB-250; Westinghouse "Space Heater", Models W-25-FA, W-35-FA, W-50-FA, W-75-FA, W-100-FA, W-125-FA, W-150-FA, W-175-FA, W-200-FA, W-250-FA, W-25-BA, W-35-BA, W-50-BA, W-75-BA, W-100-BA, W-125-BA, W-150-BA, W-175-BA, W-200-BA and W-250-BA.

John J. Nesbitt, Inc., Phila., Pa., filed April 10, 1958 an application with the Board of Standards and Appeals for approval of Nesbitt Suspended Gas-fired Unit Heaters, Models K-25-F, K-35-F, K-50-F, K-75-F, K-100-F, K-125-F, K-150-F, K-175-F, K-200-F, K-250-F, K-50-B, K-75-B, K-100-B, K-125-B, K-150-B, K-175-B, K-200-B and K-250-B, and to be also marketed as ILG, Webster, Grinnell, Sunyaire, Gordon, Westinghouse, various models for use in New York City under the provisions of Article 12, Chapter 26 of the Administrative Building Code.

Purpose

The appliance is a Suspended Gas-Fired Unit Heater.

Description

The Nesbitt Series K Gas-Fired Unit Heater consists of a burner box heat exchanger tubes and draft diverter. These components are electric arc welded together forming a gas-tight assembly. The burner box is a welded box which is constructed of 16 gauge cold rolled steel. The die-formed heat exchanger tubes are made of 20 gauge aluminized steel, with seam welded joints. The draft diverter is a spot welded assembly constructed of 20 gauge aluminized steel. Heat exchanger support sheets, made of 20 gauge cold rolled steel, connect the draft hood and burner box at either side of the unit and serve to channel the air stream for maximum contact with the surface of the heat exchanger tubes.

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All components in the heat exchanger are finished with a high temperature, aluminum paint.

The burner assembly consists of burners, venturi mixing tubes and gas supply manifold.

The burners are raised, drilled port, heavy close grained, cast-iron, mounted on cast-iron venturi mixing tubes. Machined brass orifices are held by wrought iron pipe nipples which are in turn welded to a wrought iron gas manifold. Close grained cast-iron air shutters are used to control the quality of primary air.

The burner and venturi mixing tubes are easily removed from the unit when the bottom pan is lowered. This is accomplished without moving any screws or fasteners other than those which hold the bottom pan in place.

The outside casing is constructed of 18 gauge or heavier, cold rolled steel. The hanger assembly supports both the casing and the heat exchanger and include two $\frac{3}{4}$ inch threaded pipe fittings. The bottom pan is hinged so that it can be lowered to permit lighting of the pilot and cleaning of the interior of the unit. All casing members are die-formed. Casing finish is baked on, hammerstone, gray-green enamel. The casing interior and all interior parts are finished in a high temperature baked aluminum.

Adjustable air deflection louvers are provided as standard equipment to permit vertical direction control of the air stream. Deflection louvers to provide horizontal direction control of the air stream are available as optional equipment.

Gas burner controls consist of a manual main control valve, a manual pilot shutoff valve, pilot burner, safety pilot, automatic control valve, electric limit switch and fan switch. In addition, a gas pressure regulator is provided except where the unit is to be used on liquefied petroleum gases.

The standard control arrangements are for line voltage and employ standard line voltage room thermostats.

Low voltage controls are available as optional equipment.

Electrical assembly includes a quiet low speed motor and fan assembly (all motors are equipped with thermal overload protection), a summer-winter switch to provide for summer ventilation, a combination wire fan guard and motor mount and wiring protected by heavy flexible metal conduit. The motor and controls are completely wired at the factory with the line connection continued to a junction box on the back of the unit.

Wiring diagram Nos. 1 and 2 give the wiring connections for line voltage controls and reduced voltage controls respectively.

The Series B Nesbitt Gas-Fired Unit Heaters are identical to propeller fan unit heaters, except for the type of fan employed.

Inspection and Test

These heaters have been tested and approved by the American Gas Association, Inc. The complete report is on file with and is part of the record.

Recommendation

On the basis of the data filed by the applicant, The Committee on Test recommends the approval of the appliance known as Nesbitt Suspended Gas-Fired Unit Heater, Models K-25-F, K-35-F, K-50-F, K-75-F, K-100-F, K-125-F, K-150-F, K-175-F, K-200-F, K-250-F, K-50-B, K-75-B, K-100-B, K-125-B, K-150-B, K-175-B, K-200-B and K-250-B. The Committee further recommends the heaters will be marketed under the following trade names ILG, Models 25-M, 35-M, 50-M, 75-M, 100-M, 125-M, 150-M, 175-M, 200-M and 250-M; Webster, Models WK-25, WK-35, WK-50, WK-75, WK-100, WK-125, WK-150, WK-175, WK-200 and WK-250; Grinnell, Models P-25, P-35, P-50, P-75, P-100, P-125, P-150, P-175, P-200 and P-250; Sunnysaire, Models CK-25-F, CK-35-F, CK-50-F, CK-75-F, CK-100-F, CK-125-F, CK-150-F, CK-175-F, CK-200-F, CK-250-F, CK-25-B, CK-35-B, CK-50-B, CK-75-B, CK-100-B, CK-125-B, CK-150-B, CK-175-B, CK-200-B and CK-250-B; Gordon, Models GUF-25, GUF-35, GUF-50, GUF-75, GUF-100, GUF-125, GUF-150, GUF-175, GUF-200, GUF-250, GUB-25, GUB-35, GUB-50, GUB-75, GUB-100, GUB-125, GUB-150, GUB-175, GUB-200 and GUB-250; Westinghouse "Speed Heater", Models W-25-FA, W-35-FA, W-50-FA,

W-75-FA, W-100-FA, W-125-FA, W-150-FA, W-175-FA, W-200-FA, W-250-FA, W-25-BA, W-35-BA, W-50-BA, W-75-BA, W-100-BA, W-125-BA, W-150-BA, W-175-BA, W-200-BA and W-250-BA for use in New York City when installed in accordance with Article 12, Chapter 26, of the Administrative Building Code on condition that each unit shall be installed so that its base is at least 8 feet 0 inches above the floor level, and a 40-40 mesh bronze screen will be installed in the unit bottom pan in such a manner as to entirely cover the combustion air intake and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 228-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,

JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

294-58-SA

APPLICANT—Ro-An Heat Reclaimer Corp., owner;
Anton H. Heller, Agent.

SUBJECT—Application May 13, 1958—Ro-An Domestic Heat Reclaimer, Model 400; for reclaiming heat from domestic Oil Burners, approval of.

APPEARANCES—

For Applicant: Anton H. Heller.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 294-58-SA

Subject: Ro-An Domestic Heat Reclaimer, Model 400.

Ro-An Heat Reclaimer Corp., Farmingdale, N.Y., filed May 13, 1958 an application with the Board of Standards and Appeals for approval of the Ro-An Domestic Heat Reclaimer, Model 400 for use in New York City under provisions of C26-191.0 Administrative Building Code and the Oil Burner Rules of the Board.

Purpose

A device to recover part of the heat from flue gases. (voluntary)

Description

The model 400 heat reclaimer is intended to be installed in the flue pipe of electrically operated oil fired appliances with a firing rate not over 2 gallons per hour. It is located between the oil burning appliance and the chimney but in back of any primary safety control mounted in the flue pipe.

The reclaimer is made up of a number of heat exchanger tubes installed within a steel casing. The hot flue gases pass over the tubes and heat is transferred to air which is circulated through the tubes by a motor operated fan. This heated air is then conveyed by a suitable duct to the space to be heated. Operation of the circulating fan is automatic by means of a temperature actuated switch which is installed in the flue pipe downstream from the heat reclaimer.

A motor driven sweeper plate acts to prevent soot accumulation on the exchanger tubes. The motor is energized during the entire firing period of the oil burner and the sweeper plate makes a complete pass over the tubes every 13 minutes.

MINUTES

A sweeper plate interlock is employed which consists of a clock motor, switch, cam and linkage installed adjacent to the sweeper motor. Every 26 minutes of operation the sweeper plate resets the clock motor permitting continued operation. In the event of failure to reset the clock motor, the interlock switch will open to shut down the reclaimer motors and burner motor. Failure of the clock motor will also cause the interlock switch to open. The heat reclaimer casing is made of 18 gauge steel or heavier, painted on all surfaces. The casing encloses 36 steel heat exchanger tubes 12 1/16 inches long, .840 inch outside diameter and 3/32 inch wall thickness.

The sweeper plate is made of 12 gauge steel, 7 1/2 inches wide and 10 inches high. It is provided with 36 stainless steel wire mesh cleaning rings 1/8 inch thick secured between two 20 gauge steel cover plates.

Inspection and Test

An installation of the heat reclaimer was inspected by Ass't. Engr. G. F. Sklenarik, Committee on Test. The device functioned as designed.

The Ro-An heat reclaimer was tested and approved by the Underwriters' Laboratories, file MH 6702. The report is on file and is part of the record.

Recommendation

On the basis of the inspection and the data filed by the applicant the Committee on Test recommends the approval of the Ro-An Domestic Heat Reclaimer, Model 400, for voluntary use when installed in accordance with this report and the Oil Burner Rules of the Board, provided that each installation will be made by a licensed oil burner installer and further that each such device shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 294-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance for voluntary use in accordance with the above report.

344-58-SA

APPLICANT—J. A. Arnao, for Vega, Inc., owner.
SUBJECT—Application May 29, 1958—Comforteer Gas Heaters, Model Nos. 340, 340A, 330, 330A, 316, 316A, 312, 312A, approval of.

APPEARANCES—

For Applicant: J. A. Arnao.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 344-58-SA.

Subject: Vega Inc., Comforteer Gas Heaters, Models 340, 340A, 330, 330A, 320, 320A, 316, 316A, 312, 312A.

J. A. Arnao for Vega Inc., Chattanooga, Tenn., owner-manufacturer filed May 29, 1958 an application for approval of the Comforteer Gas Heaters, Models 340, 340A, 330, 330A, 320, 320A, 316, 316A, 312, 312A for use in New York City under the provisions of Article 12, Administrative Building Code and the requirements of the Fire Commissioner.

Purpose

Gas fired vented space heaters for domestic or commercial use.

Description

The Comforteer Gas Heaters, Models 340, 340A, 330, 330A, 320, 320A, 316, 316A, 312, 312A are all floor type cabinet heaters with the outer cabinet formed of end panels and body sheet of 20 gauge steel with lock-seamed joints. The inner combustion chambers are made of 20 gauge steel, preformed and baffled and then seam welded. Provision is made for connecting the heaters to flues.

The burners used are of cast iron and have raised slotted ports. Primary air openings are equipped with cadmium plated steel air shutters.

Each heater is provided with a brass angle type shut off valve and ignition is manual.

The input ratings in BTU per hour are as follows:

Models:

340, 340A	40,000
330, 330A	30,000
320, 320A	20,000
316, 316A	16,000
312, 312A	12,000

The letter "A" in the model designation indicates that the heater is equipped with a safety pilot and automatic gas shut off valve.

Inspection and Test

All details of construction were examined by Assistant Engineer G. F. Sklenarik, Committee on Test.

The Comforteer Gas Heaters, Models 340, 330, 320, 316 and 312 were tested and approved by the American Gas Association for natural, manufactured, and liquefied petroleum gases.

Recommendation

On the basis of the examination and the data filed by the applicant the Committee on Test recommends the approval of the Vega Inc., Comforteer Gas Heaters, Models 340, 340A, 330, 330A, 316, 316A, 312, 312A for use in New York City in accordance with this report and the provisions of Article 12, Administrative Building Code and in addition the "A" Models when used with liquefied petroleum gas and when installed in accordance with the requirements of the Fire Commissioner relative to the use of such heaters in field office, trailers or similar units on construction sites, provided that each heater shall bear a label, permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 344-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

377-58-SA

APPLICANT—The Coleman Company, Inc., owner.
SUBJECT—Application June 12, 1958—Coleman Gas-fired Room Heater, Models 2111, 2112, 2113, 2115, 2116, 2117, 2118, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

MINUTES

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 377-58-SA.

Subject: Coleman Gas-Fired Room Heater, Models 2111, 2112, 2113, 2115, 2116, 2117, and 2118.

The Coleman Company, Inc., Philadelphia, Pa., filed June 12, 1958, an application with the Board of Standards and Appeals for approval of Coleman Gas-Fired Room Heater, Models 2111, 2112, 2113, 2115, 2116, 2117 and 2118 for use in New York City under the provision of Article 12, of the Administrative Building Code.

Purpose

The appliance is a Gas-Fired Space Heater.

Description

These are gas burning space heaters, designed for BTU input ranging from 30,000 to 70,000 BTU per hour.

The heater is an assembly of parts, namely a chassis, cabinet, burner, heat exchanger, draft diverter and controls.

Heater cabinets are a console type, free standing room heater. The casing is a 22 gauge steel, insulated with ½ inch thick glass fiber, insulation foil face.

The combustion chamber and heat exchanger is constructed of 20 gauge sheet steel, and is of the radiator type.

The burner is of cast iron with raised sawed slots.

Each model has a built in draft diverter which forms an integral part of the heat exchanger.

The heater is supplied in two styles. A circulator model having a one-piece top grille and front grille, Shadowed Mahogany finish. A Radiant Circulator Model having a one-piece top grille and radiants behind a Pyrex glass front, chrome-trim, Golden Glow or Shadowed Mahogany finish.

All models have a service door in the right hand side only, for accessibility of control.

The controls are optional, the heater may be supplied with Robert Shaw Grayson Unitrol, A17, has a 100% shut off with pilot failure, temperature is controlled by employing the use of the capillary, exposed to room temperature. The heater may also be supplied with General Controls, MR 5 Valve, which is 100% shut off with pilot failure, however, this must be operated manually for main burner control. In conjunction with this control, an electric package can be supplied, which contains a 24 volt transformer, a wall type thermostat, and a solenoid valve. The third type control available with these heaters is for room temperature control.

Type of Cabinet and Vent Pipe Size:

Open Grille Models	BTU per hour Input Rating	Vent Pipe Size
2111	30,000	4"
2112	40,000	4"
2113	55,000	4"
Pyrex Radiant Front Models	BTU per hour Input Rating	Vent Pipe Size
2115 L & D	30,000	4"
2116 L & D	40,000	4"
2117 L & D	55,000	4"
2118 L & D	70,000	4"

When Models 2111 and 2115 are used with Propane, input rating is 25,000; output rating is 17,500. L=Golden Glow finish. D=Shadowed Mahogany finish.

Blower, optional on all Models. Pressure regulator, standard on all Models (except LPG).

Inspection and Test

The heaters have been approved by the American Gas Association. The complete report is on file with and is part of the record.

Recommendation

On the basis of the inspection and test and the data filed

by the applicant, the Committee on Test recommends the approval of the appliance known as Coleman Gas-Fired Room Heaters, Models 2111, 2112, 2113, 2115, 2116, 2117 and 2118 for use in New York City when installed in accordance with Article 12, of the Administrative Building Code on condition that the units shall not be installed in garages or places of explosive atmosphere and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 377-58-SA".

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.

GEORGE F. SKLENARIK,

Asst. Engr.

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

439-58-SA

APPLICANT—Empire Stove Company, owner; Howard A. Simmons, Agent.

SUBJECT—Application July 21, 1958—Empire Gas Room Heaters, Models E154-6, E204-6, E304-6 and E404-6, G508-M, F508-M, G-708-M, F-708-M, approval of.

APPEARANCES—

For Applicant: Howard A. Simmons.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 439-58-SA.

Subject: Empire Gas Room Heaters, Models E-154-6, E-204-6, E-304-6, and E-404-6, G-508-M, F-508-M, G-708-M and F-708-M.

Empire Stove Company, Belleville, Ill., filed July 21, 1958, an application with the Board of Standards and Appeals for approval of Empire Gas Room Heaters, Models E154-6, E204-6, E304-6 and E404-6, G508-M, F508-M, G708-M and F708-M for use in New York City under the provisions of C26-191.0 and Article 12, Chapter 26 of the Administrative Building Code.

Purpose

The appliance is a Gas Fired Space Heater.

Description

These are gas burning space heaters, designed for BTU input ranging from 15,000 to 70,000 BTU per hour.

The heater is an assembly of parts; namely a chassis, cabinet, burner, heat exchanger, draft diverter and controls.

Models E154-6, E204-6, E304-6, and E404-6 heater cabinets, are of 20 gauge steel. Porcelain finish, have a closed top and 22 gauge expanded metal front. Built in floor pan of 20 gauge steel, black, to prevent scorching floor. Heat is forced up through front and sides of heater. These heaters have a service door for access on the side to permit slide out of burners, cast iron drilled port type; mounted on a platform permitting removal of burners which slides free from the heater. The combustion chamber and heat exchanger is constructed of 20 gauge steel. Each model has a built in draft diverter which forms an integral part of the heat exchanger.

Models G508-M, F508-M, G708-M and F708-M, heater cabinets are of heavy gauge steel; brown enamel finish, louver openings at the top and expanded metal and louvered

MINUTES

front; center flow opening at front on bottom, service door on the side to permit access to burner; cast iron burner with a continuous strip stainless steel ribbon; orifice adjustable for all gases, located at center of burner; furnace-type combustion chamber of heavy gauge steel; built-in automatic blower and thermostat.

Type of cabinet and flue collar size:

<i>Closed Top</i> Model No.	BTU	Flue Collar
E154-6	15,000	4"
E204-6	20,000	4"
E304-6	30,000	4"
E404-6	40,000	4"

<i>Open Top</i> Model No.	BTU	Flue Collar
G508-M	50,000	4"
F508-M	50,000	4"
G708-M	70,000	5"
F708-M	70,000	5"

Inspection and Test

The heaters have been approved by the American Gas Association. The complete report is on file with and is part of the record.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Empire Gas Room Heaters, Models E154-6, E204-6, E304-6, E404-6, G508-M, F508-M, G708-M and F708-M for use in New York City when installed in accordance with Article 12, of the Administrative Building Code on condition that the units shall not be installed in garages or places of explosive atmosphere and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 439-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Ass't. Engr.,
GEORGE F. SKLENARIK,
Ass't. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

447-58-SA

APPLICANT—Vandewater Associates, Inc., agent for A. F. Thompson Manufacturing Company, owner.

SUBJECT—Application July 23, 1958—Thompson Vented Circulator Type Room Heater, Gas-fired, Models Acme and Heatflo, series 515V, 520V, 530V, 540V, 550V and 570V, approval of.

APPEARANCES—

For Applicant: Jack Ruebens.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 447-58-SA

Subject: Thompson Vented Circulator Type Room Heater, Gas-Fired, Models Acme and Heatflo, Series 515V, 520V, 530V, 540V, 550V, and 570V.

Vandewater Associates, Inc., Long Island City, New York,

filed July 23, 1958, an application with the Board of Standards and Appeals for approval of Thompson Vented Circulator Type Room Heater, Gas-Fired Models Acme and Heatflo, Series 515V, 520V, 530V, 540V, 550V, and 570V for use in New York City under the provisions of Article 12, of the Administrative Building Code.

Purpose

The appliance is a Gas Fired Space Heater.

Description

These are gas burning space heaters designed for BTU input ranging from 15,000 to 70,000 BTU per hour.

The heater is an assembly of parts; namely a chassis, cabinet, burner, heat exchanger, draft diverter and controls.

The heater cabinet is a console type, free standing room heater, cabinet has a porcelain-enamel finish, either Mahogany or Grey. The casing, combustion chamber and heat exchanger are constructed of 20 gauge steel. Each model has a built-in draft diverter which forms an integral part of the heat exchanger. The burner is of cast iron raised drilled ports, and a built in floor pan to prevent scorching floor. An optional blower assembly completely wired and self-contained which mounts at the rear of the unit for the purpose of distributing warm air within the area in which the unit is located. The blower assembly switch also incorporates a summer switch to turn the blower on for summer use when no heat is being used. Blower is available in all models (except 515V) as optional equipment.

Type of Cabinet and Vent Pipe Size.

Louvered Front Models	BTU per hour Input Rating	Vent Pipe Size
515V	15,000	3"
520V	20,000	3"
530V	30,000	4"
540V	40,000	4"
550V	50,000	4"
570V	70,000	5"

The controls consist of a manual shut-off valve, pilot adjusting valve, automatic pilot valve to close off the main supply of gas in the event the pilot flame is in some manner extinguished, a gas pressure regulator to maintain a constant flow of gas at a predetermined pressure setting, and a thermostatic or automatic main control valve to provide means for turning the gas on and off through the medium of a self-contained thermostat or a remote thermostat.

Inspection and Test

The heaters have been approved by the American Gas Association. The complete report is on file with and is part of the record.

Recommendation

On the basis of the data filed by the applicant, the Committee on Test recommends the approval of the appliance known as Thompson Vented Circulator Type Room Heater, Gas-Fired, Models Acme and Heatflo, Series 515V, 520V, 530V, 540V, 550V, and 570V for use in New York City when installed in accordance with Article 12 of the Administrative Building Code on condition that the units shall not be installed in garages or places of explosive atmosphere and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 447-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Assistant Engineer,
GEORGE F. SKLENARIK,
Assistant Engineer,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

MINUTES

507-58-SA

APPLICANT—The Ohio Foundry and Manufacturing Company, owner. A. C. Gustafson, Agent.

SUBJECT—Application August 26th, 1958—Brilliant Fire, Ohio Radiant, Sunburst Vented Gas Room Heaters, Models 15-LOW, 20-LOT, 30-LOT, 65-LOT, 35-LOT, 50-LOT, 65-LTW, 3500-A, 5000-A, 7000-A, approval of.

APPEARANCES—

For Applicant: Harry E. Thompson.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 507-58-SA.

Subject: Brilliant Fire, Ohio Radiant, Sunburst Model 15-LOW, 20-LOT, 30-LOT, 35-LOT, 50-LOT, 65-LOT, 65 LTW, 3500-A, 5000-A, 7000-A.

The Ohio Foundry & Manufacturing Co., Steubenville, Ohio, filed August 26, 1958, an application with the Board of Standards and Appeals for approval Brilliant Fire, Ohio Radiant, Sunburst, Model Nos. 15-Low, 20-Lot, 30-Lot, 35-Lot, 50-Lot, 65-Lot, 65 LTW, 3500-A, 5000-A, 7000-A, for use in New York City under the provisions of C-26-191.0 of Article 12, Chapter 26 of the Administrative Building Code.

Purpose

The appliance is a Gas Fired Space Heater.

Description

Brilliant Fire Room Heaters—(Vented Type)

No. 15-LOW	— 15,000	BTU per hour input
No. 20-LOT	— 20,000	BTU per hour input
No. 30-LOT	— 30,000	BTU per hour input
No. 35-LOT	— 35,000	BTU per hour input
No. 50-LOT	— 50,000	BTU per hour input
No. 65-LOT	— 65,000	BTU per hour input

The above "LOT" Vented Room Heaters are of the Gravity type with 100 percent welded steel combustion chambers, equipped with cast-iron burners (suitable for gas on which they are to be used) but approved for use with Natural, Mixed, Manufactured, and LP Gases.

They are equipped with built-in draft diverter, and large service door on the side. They are also equipped with Baso "lint-proof" pilot burner of the 2R style. All models are finished in high temperature baked enamels and have legs which support them above the floor. All models are equipped with draft diverters, and horizontal flue outlets.

All models of 35,000 BTU per hour or over are equipped with Gas Pressure Regulators, which have incorporated in them leak limiting devices.

The No. 2300 (-A or B) Blower is approved for use as an accessory on the "LOT" Models of 30,000 BTU per hour input or over. It is for 115 Volt A.C., 60 cycle current, has a 3-speed control Summer switch and Automatic fan switch.

The "LTW" Vented Room Heaters are equipped with fire clay radiants, providing therefore, both radiant and circulating gravity heat. All other features of these models are similar to those of the "LOW" or "LOT" Series as noted above. They are available in the following inputs:

No. 35-LTW	— 35,000	BTU per hour input
No. 50-LTW	— 50,000	BTU per hour input
No. 65-LTW	— 65,000	BTU per hour input

All three (3) Models of the "LTW" Series are equipped with Gas Pressure Regulators, and pilot burners or standard equipment.

The No. 2300 (-A or B) Blower is also available for use with the "LTW" Models.

VENTED FAN TYPE ROOM HEATERS

(Winter Air-Conditioners)

The following Deluxe Models of Vented Fan Type Heaters are equipped with large propeller type fans, automatically operated, heating sections of the tubular type.

These models are as follows:

No. 3500-A	— 35,000	BTU per hour input
No. 5000-A	— 50,000	BTU per hour input
No. 7000-A	— 70,000	BTU per hour input

The multi-tubed type heat exchanger is 100 percent welded and is provided with a combustion chamber header of cast iron. These models are equipped with built-in draft diverter, and all have cast iron burners.

The large fans and heavy duty motor are for 115 volt, A.C. current, and operate automatically through a fan switch which starts the fan on demand, and shuts it off before cold air is delivered to the room. There is a filter screw provided at the rear to provide lint and dust removal. The unit is also equipped with a 1 quart capacity humidifier, made of porcelain enamel; thus all features of winter air conditioning are provided in this completely automatic unit.

The burner chassis is attached to the cabinet section by four (4) wing nuts.

The entire baked enamel cabinet is insulated with fiberglass to maintain the cabinet.

The burner, pilot and controls are serviceable from a service door in the front of the heater, controls are mounted in this service compartment for easy accessibility.

All Brilliant Fire Vented Gravity or Fan Type Circulators of the "LOT", "LOW", LTW" or the Fan Type Models are available with various types of automatic controls, such as BLUE FLAME PILOT BURNER (M) with thermocouple (L), Baso Safety Pilot Valve, M-H Adatrol, Robert Shaw Unitrol, Honeywell Round complete electric package (115-V.A.C.) for remote control, 100 percent shutoff. The General Control is self-energizing, complete with valve, thermostat (8 foot cable attached) etc., and has a 100 percent shut-off. On the large fan models the automatic controls are standard equipment.

Inspection and Test

These heaters have been tested and approved by the American Gas Association, Inc. The complete report is on file with and is part of the record.

Recommendation.

On the basis of the inspection and test and the data filed by the applicant, the Committee on Test, recommends the approval of Brilliant Fire, Ohio Radiant, Sunburst Models Nos. 15-LOW, 20-LOT, 30-LOT, 35-LOT, 50-LOT, 65-LOT, 65 LTW, 3500-A, 5000-A, 7000-A for use in New York City, when installed in accordance with Article 12, of the Administrative Building Code on condition that the units shall not be installed in garages or places of explosive atmosphere and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 507-58-SA".

(Sgd.) SAMUEL L. BECKER,
Director,
JOHN A. DARTS,
Asst. Engr.,
GEORGE F. SKLENARIK,
Asst. Engr.,
Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

517-58-SA

APPLICANT—Premier Stove Company, owner.

SUBJECT—Application September 4, 1958—Premier Gas Room Heaters, Models 6-15V, 6-20V, 6-30V, (with suffix A.T.), approval of.

APPEARANCES—

For Applicant: Donald Phillips.

MINUTES

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the report of a Committee on Test reads:

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 517-58-SA.

Subject: Premier Gas Room Heaters, Models 6-15V, 6-20V, 6-30V, 6-40V, (with Suffix A, T).

The Premier Stove Company, Belleville, Illinois, filed September 4, 1958, an application with the Board of Standards and Appeals for approval of Premier Gas Room Heaters, Models 6-15V, 6-20V, 6-30V, 6-40V (with suffix A, T) for use in New York City under the provisions of Article 12, of the Administrative Building Code.

Purpose

The appliance is a Gas-Fired Space Heater.

Description

These are gas burning space heaters, designed for BTU input ranging from 15,000 to 40,000 BTU per-hour.

The heater is an assembly of parts, namely a chassis, cabinet, burner, heat exchanger, draft diverter and controls.

Heater cabinet is a console type, free standing room heater. The casing is a 22 gauge steel. Heater is finished in a porcelain enamel.

The combustion chamber and heat exchanger is constructed of 20 gauge steel.

The burner is cast iron raised drilled ports, mounted on a platform which slides free from the heater. All models have a service door, for accessibility of controls.

Types of controls:

A gas pressure regulator is standard equipment for all 6-30V and 6-40V Heaters. It may be ordered as optional equipment for city gases for 6-15V and 6-20V heaters.

Robert Shaw Unitrol is a combination thermostat and safety Mini-Pilot with 100% cut-off feature.

Robert Shaw TS-11D Safety Pilot is universal for all gases with 100% cut-off of gas to burner when pilot flame is extinguished.

Inspection and Test

The heaters have been approved by the American Gas Association. The complete report is on file with and is part of the record.

Recommendation

On the basis of the inspection and test and the data filed by the applicant the Committee on Test recommends the approval of the appliance known as Premier Gas Room Heaters, Models 6-15V, 6-20V, 6-30V, 6-40V, (with suffix A, T.) for use in New York City when installed in accordance with Article 12, of the Administrative Building Code on condition that the units shall not be installed in garages or places of explosive atmosphere and further that the appliance bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 517-58-SA".

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

Resolved, that the Board of Standards and Appeals does hereby approve this appliance in accordance with the above report.

551-58-SA

APPLICANT—The Siegler Corporation, owner-manufacturer; W. E. Nagel, agent.

SUBJECT—Application September 19, 1958—Siegler Gas Home Heaters, Models 220GI, 220UB, 330UB, 550UB, 775UB and 885UB, 230, 340, 560, approval of.

APPEARANCES—

For Applicant: Dean Olds.

ACTION OF BOARD—Appliance approved in accordance with the report of Committee on Test.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

REPORT OF COMMITTEE ON TEST

Re: Calendar Number 551-58-SA.

Subject: Siegler Gas Home Heaters, Models 220GI, 220UB, 330UB, 550UB, 775UB, 885UB, 230, 340, 560.

The Siegler Corporation, Chicago, Ill., filed September 19, 1958 an application with the Board of Standards and Appeals for approval of the Siegler Gas Home Heaters, Models 220GI, 220UB, 330UB, 550UB, 775UB, 885UB, 230, 340 and 560 for use in New York City under the provisions of Article 12, Administrative Building Code.

Purpose

Gas fired domestic and commercial space heaters.

Description

The Siegler Gas Home Heaters are floor type space heaters made of a cast iron atmospheric type ribbon port burner, cast iron tubular heat exchanger, a built in blower system for forced circulation except in the 220G-2 model which is a gravity flow, thermostatic control and safety pilot for automatic operation; safety pilot will give 100% shut off in case of flame failure.

The heater cabinets are finished in porcelain enamel. The 230, 340 and 560 Models have metal grid fronts, the other models are provided with ceramic radiants and pyrex glass fronts.

All models are designed for venting outdoors by connecting to a legal flue or chimney.

The heat input capacities of the various models are:

Model	Input BTU/Hr.	Model	Input BTU/Hr.
220 GI	20,000	775 UB	75,000
220 UB	20,000	885 UB	85,000
330 UB	30,000	230 UB, G	30,000
550 UB	50,000	340	40,000
		560	60,000

Inspection and Test

All details of construction were examined by Ass't Engr. G. F. Sklenarik, Committee on Test.

The above Siegler Gas Home Heaters have been tested and approved by the American Gas Association for natural, manufactured, mixed and liquefied petroleum gas.

Recommendation

On the basis of the examination and the data filed by the applicant, the Committee on Test recommends the approval of the Siegler Gas Home Heaters, Models 220GI, 220UB, 330UB, 550UB, 775UB, 885UB, 230, 340, and 560 for use in New York City when installed in accordance with this report and the requirements of Article 12, Administrative Building Code with a minimum clearance of 6 inches at the sides and back from any wall or partition and provided that each heater shall bear a label, permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Calendar Number 551-58-SA".

(Sgd.) SAMUEL L. BECKER,

Director,

JOHN A. DARTS,

Asst. Engr.,

GEORGE F. SKLENARIK,

Asst. Engr.,

Committee on Test.

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Resolved, that the Board of Standards and Appeals does hereby *approve* this appliance in accordance with the above report.

232-46-SM

APPLICANT—Williamsburg Steel Products Company, owner.

SUBJECT—Application for consideration—reopening for test and report—re Williamsburg 3 Hour Test Hollow Steel Door; previously approved.

APPEARANCES—

For Applicant: Sidney J. Rasner.

ACTION OF BOARD—Application reopened for test and report as to change of construction.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

622-49-SM

APPLICANT—National Gypsum Company, owner.

SUBJECT—Application for consideration—reopening for test and report as to additional fire rating—re Gold Bond Solid 2 inch Partition using ½ inch floor to ceiling length gypsum lath and plaster; previously approved.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened for test and report as to additional fire rating.

THE VOTE—

Affirmative. Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

568-50-SA

APPLICANT—Norman Products Company, owner.

SUBJECT—Application for consideration—reopening as to additional trade names—re Norman Southerner Horizontal Designed Forced Air Gas-fired Central Furnace, Models UH40, UH60, UHB60, UGB80, UHB100, FU4-A, FUB40A, FUB60A, FUB80A, FUB100A, FUB70C, FUB85C, FUB100C, FUB120C, FUB140C, D70C, D85C, D100C, D120C and D140C; previously approved.

APPEARANCES—

For Applicant: Alex D. Rowland.

ACTION OF BOARD—Application reopened for report as to additional trade names.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

272-55-SA

APPLICANT—H. C. Little Burner Co., Inc., owner.

SUBJECT—Application March 28, 1955—Safti-Vent Gas-fired Wall Heaters, Model GW-16-A and GW-22, approval of.

APPEARANCES—

For Applicant: J. A. Arnao.

ACTION OF BOARD—Laid over; referred to Examiner for further study.

536-44-A—Vol. III

APPLICANT—Joseph A. Trapani, for Estate of Marion Spinnler, owner, Louis Wallach, temporary Executor.

SUBJECT—Application reopened September 23, 1958 as Vol. III, Appeal from a decision of the Borough Superintendent, re increase in number of beds, Nursing Home, frame construction.

PREMISES AFFECTED—216-16 28th Avenue, south side,

200 feet, east of 216th Street, Block 6019, Lot 103, Bay-side, Borough of Queens.

APPEARANCES—

For Applicant: Louis Wallach.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated July 16, 1958 on Alt. Applic. 1543/58, reads:

"1. Proposed increase in the number of beds in a nursing home of class III construction, more than 1 story high, is contrary to 4.2.1 of the Bldg. code and to the resolution of the Board under Cal. #536-44-A."

and

WHEREAS, the applicant states that the building is 2½ stories, 35 feet in height, 65 feet front by 63 feet in depth 1st floor, 47 feet front by 53 feet in depth at 2nd floor, of class 4 construction, erected prior to 1903, located on a lot 100 feet front by 125 feet in depth, in a residence use, F area, class 1 height district, and used and occupied since 1946 as follows: Cellar—boiler room, storage and laundry, no persons; 1st floor—living room, dining room, kitchen and 2 bedrooms, 3 persons; 2nd floor—chambers for nursing home, 15 persons; attic—dwelling for operator of nursing home, 5 persons, for which Certificate of Occupancy #Q122279 was issued April 28, 1958, against Alt. Applic. 189/44, pursuant to a variance granted by the Board, expiring March 18, 1968; that the building is now proposed to be used and occupied as follows: Cellar—boiler room, storage and laundry, no persons; 1st floor—kitchen, dining room, lounge and 3 bedrooms, 12 persons; 2nd floor—chambers for nursing home, 16 persons; attic—dwelling for operator of nursing home, 5 persons; that the building is provided with two interior wood stairs, 2 feet 7 inches and 4 feet 2 inches respectively in width, enclosed in plaster partitions, equipped with ¾ hour self-closing doors, leading direct to street but not to roof, and one fire escape on the rear extending to roof by ladder and to yard by Stair, with egress to street through open yard, window and door opens on the course of the fire escape, are fireproof self-closing; and

WHEREAS, the applicant states that on December 3, 1957, under Calendar Number 536-44-A, Volume II, the Board permitted rearrangement of partitions, creation of employee's dressing rooms in the cellar and the occupancy of the 1st floor by 12 beds, 2nd floor by 16 beds with the attic use as the operator's dwelling, under certain conditions including the requirement for the installation of a sprinkler system and an approved thermostatic fire-alarm system throughout the building; that on March 18, 1958, amended resolution to permit the reduction in the original occupancy of 18 beds; that it is now proposed to amend the resolution of March 18, 1958, and re-establish the resolution of December 3, 1957, allowing the increased number of beds, subject to the terms of such resolution; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 18, 1958, by substituting thereafter the resolution adopted by the Board on December 3, 1957, by adding thereto:

"that the work as proposed and shown on plans marked "Received November 18, 1958," 8 sheets, shall be done together with the recommendations of the Chief of the Division of Institutional Inspection of the Department of Hospitals as follows; (1) that all toilets are to be separated from bathtubs by partitions; (2) that two extra toilets are to be provided on the first floor; (3) that an extra bathtub is to be provided on the first floor; (4) that the square footage of morgue is to be set forth showing with floor area at least 80 square feet as required; (5) that the locations of nurses' stations and

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nurses' work rooms on first and second floors are to be indicated; and that plans for this additional work, recommended by the Department of Hospitals, shall be filed with the Building Department on an amendment and the work shall be carried out to the satisfaction of the Commissioner of Hospitals."

277-54-A—Vol. IV

APPLICANT—The Procter & Gamble Mfg. Company, owner.

SUBJECT—Application reopened July 22, 1958 as Vol. IV—Appeal from a decision of the Fire Commissioner re: change in use of a 150,000 cubic feet gas storage container from water to hydrogen.

PREMISES AFFECTED—3666 Richmond Terrace, southwest corner of Western Avenue, Block 1400, Lot 1, Port Ivory, Borough of Richmond.

APPEARANCES—

For Applicant: Carl A. Pearson and Alphonse C. Bogaert.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated June 18, 1958, reads:

"This is to acknowledge receipt of your letter of June 12, 1958, regarding the change of use of a 150,000 cubic feet gas storage container from water gas to hydrogen, thereby increasing your hydrogen storage. As previously advised it will be necessary to obtain the approval of the Board of Standards and Appeals by amending the current resolution."

and

WHEREAS, the applicant states that the premises consists of a plot 800 feet front by 2500 feet in depth; that the existing water gas storage tank is 1 story, 50 feet in height, 64 feet in diameter, erected 1926, and proposed to be used for the storage of 150,000 cubic feet hydrogen; and

WHEREAS, the applicant requests that the Board amend its resolution adopted July 6, 1955, under Calendar Number 306-23-A, as amended May 25, 1954, under Calendar Number 277-54-A, as subsequently amended through April 10, 1956, under Calendar Number 277-54-A, Volume III, to permit the change over of the existing 150,000 cubic feet water gas holder to the storage of hydrogen and its incorporation in the hydrogen system, as indicated on plans marked "Received November 21, 1958," 2 sheets, on condition that in all other respects, where not inconsistent with this resolution, the resolutions above cited shall be complied with; and

WHEREAS, the applicant contends that the water gas holder in question, is located 1025 feet south of Richmond Terrace and 760 feet west of Western Avenue, between a 50,000 cubic feet hydrogen holder and a 100,000 cubic foot hydrogen holder; that the nearest building to the 150,000 cubic foot holder in question, occupied by our employees, is the Furnace House in which 8 or 9 persons are normally employed; that it is located 150 feet from the holder in question; that the water gas generator house and the water gas purifiers are now obsolete and the equipment therein is out of service; that the owner has been engaged in the manufacturing of soaps, glycerine and edible oils at this plant since 1907, which consists of a 135 acre plot occupied by numerous buildings which are protected by standpipe and sprinkler systems; that recent developments have eliminated water gas as a factor in the owner's business; that the conversion of the water gas holder to the storage of hydrogen will enable the owner to effect economies of operation and help maintain its competitive position within the industry; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 6, 1955, as *amended* through April 10, 1956, by adding thereto:

"to permit the use of the existing 150,000 cubic foot water gas holder for the storage of hydrogen and to permit the incorporation of this tank into the existing hydrogen installation, as shown on plans filed with appeal marked, "Received June 24, 1958," 2 sheets, and "November 12, 1958," 1 sheet, as disapproved in the decision of the Fire Commissioner dated June 18, 1958, *on condition* that the provisions of the above cited resolution be complied with to the satisfaction of the Fire Commissioner and that the tank in question and all pipe lines installed in connection with the change herein permitted, be tested to the satisfaction of the Fire Commissioner."

773-57-A

APPLICANT—Herman E. Horwood, for Dwight C. Harris, Rex Perpall and Lita Harris, owners.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Appeal from a decision of the Borough Superintendent; re Class 3 construction, factory, egress, etc., previously granted on condition.

PREMISES AFFECTED—196-198 Chambers Street, south side, 96 feet, 6 inches east of West Street, Block 138, Lot 34, Borough of Manhattan.

APPEARANCES—

For Applicant: Herman E. Horwood.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board on October 28, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on October 28, 1958, by adding thereto:

"that in addition to the proposal by the applicant that on the first floor the prospective tenant will engage in die cutting on leather belts so as to read, leather belts and cardboard and other materials."

975-57-A

APPLICANT—Fred C. Dahlem, for Bermuda Benevolent Association, owner.

SUBJECT—Application November 6, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction, stairs, live load, and zoning.

PREMISES AFFECTED—402 West 146th Street, south side, 100 feet, west of St. Nicholas Avenue, Block 2060, Lot 37, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem and Charles G. Butterfield.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated November 6, 1957, acting on Alt. Applic. 454-56, Objection 1 reads:

"1—File photostatic copy of recorded incorporation papers to show purpose of organization.

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2—Use should comply with Article II, Section 3 of the Zoning Resolution.

3—Bldg. should be F.P., more than 2 stories high, Sect. C26-254 A.C.

4—Stairs should be enclosed in 3 hr. material and go from cellar to street and street to roof. Sect. C26-638.0 A.C.

5—Stairs should be 3 feet 8 inches wide and comply with Sect. C26-292 A.C.

6—Live load for dining and meeting rooms should be 100 per square foot." and

WHEREAS, the applicant states that the premises consist of a lot 20 feet front by 99 feet 11 inches in depth, located in a residence use, B area, class 1½ height district, upon which there exists a 3 story, 37 feet high, class 3 building, 20 feet by 73 feet on basement and 1st and 2nd floors and 20 feet by 55 feet on the 3rd floor, erected prior to 1890 as a one family dwelling and converted in 1920: Cellar—storage and heating plant; basement—dining room and kitchen, 20 persons; 1st floor—meeting room, 85 persons; 2nd floor—office, library and meeting room, 15 persons; 3rd floor—caretaker's apartment; that for which change in use a violation was issued and a fine of \$25.00 imposed in the Magistrate's Court; and

WHEREAS, the applicant proposes to legalize the above present illegal use; that the present occupants "The Bermuda Benevolent Association" is a philanthropic organization; that this organization is the sole occupant of the building since 1920; that the present exits consist of an interior 2 feet 10 inches wood stairs enclosed in wood stud partitions with plaster on wood lath; that the present exits from basement and 1st floor are direct to the street; and

WHEREAS, the applicant proposes to enclose the cellar stairs in a 4 inch cinder block partition with fireproof self-closing door; that the cellar will be protected with one-hour ceiling; that a stair will be provided at the rear of the 1st floor; that a gate will be provided in the fence of the rear yard; that a live load of 75 lbs. will be established for the basement and 1st floor, and 60 lbs. for the 2nd floor; that all swing doors to stair hall will be made self-closing; that the front doors will be rehung to swing out; and

WHEREAS, the applicant contends that the present use is a permissible use under Article II, Section 3 (2) and (5) of the Zoning Resolution; that the exits are adequate for the proposed occupancy; that the floor loads will not be exceeded; that the proposed sprinkler system will properly protect this building; and

WHEREAS, the premises was inspected by a committee of the board.

Resolved, that the decision of the Borough Superintendent, dated November 6, 1957, acting on Alt. Applic. 454-56, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the hallway shall be fire-retarded for its entire height and doors thereto fireproof, self-closing one-hour type construction; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only so long as the premises are occupied as herein proposed and as shown on plans filed with this appeal, marked "Received November 6, 1957", 9 sheets.

28-58-A

APPLICANT—Leonard F. Rothkrug, for Ginsberg Realty Corp., owner.

SUBJECT—Application January 28, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—1657-1663 Broadway, northwest corner of Schaeffer Street, Block 3420, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated January 27, 1958 on Alt. Applic. 4230/55, reads:

"8. Provide for all other floors two remote means of egress of incombustible materials enclosed in two hour partitions (second and third floors to be used, in part, for factory use."

and

WHEREAS, the applicant states that the building is 3 stories, 36 feet high, 75 feet by 100 feet in area, class 3 constructed, erected in 1925, used and occupied as follows: Cellar—boiler room and furniture showroom, 5 persons; 1st floor—furniture store, 100 persons; 2nd floor—furniture showroom, 50 persons; 3rd floor—furniture stockroom, 5 persons, for which Certificate of Occupancy No. 37052/25 was issued; and

WHEREAS, the applicant proposed to change the use to: 1st floor—furniture store and a retail store, 50 persons; 2nd floor—dress factory, 60 persons; 3rd floor—dress factory, 30 persons; and

WHEREAS, the applicant states that the exits will consist of two interior enclosed stairs at opposite corner of the building; that the Broadway or west stairs is of wood 3 foot 8 inch wide enclosed in 1 hour partitions, fireproof self-closing doors and leads to roof by a vertical ladder and a scuttle; that the Schaeffer Street or east stair is 3 foot 8 inch steel stair enclosed in 8 inch brick; that the vestibules on 1st, 2nd and 3rd floors are of 1 hour construction with fireproof self-closing doors; that the elevator openings into this stair are equipped with fireproof self-closing doors; that this stair leads to cellar and to roof through an 8 inch brick bulkhead; that it is proposed to have no more than one tenant on each of the upper stories; that the occupancy as dress factories does not involve use of any combustibles; that the building adjoining to the west is a 4 story building and is 8 feet above the roof of the subject building; that the building to the north is a 3 story frame building and its roof is 8 feet 6 inches below the roof parapet of the subject building; that neither of these adjoining buildings offer safe access from the roof of our building; and

WHEREAS, the applicant proposes to install a one-source sprinkler system throughout the building and to remove the dividing partitions on the 2nd and 3rd floors.

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 4230/55, Objection No. 1, and that the appeal be and it hereby is *granted, on condition* that as now proposed all subdividing partitions shall be removed from the various floors and none restored that will interfere with free access of any tenant to two means of exit, in accordance with the requirements of the Labor Law, and as indicated on plans filed with this appeal, marked "Received Nov. 7, 1958", 5 sheets, and "December 12, 1958", 1 sheet; that the building shall be protected with an approved one source sprinkler system throughout; that the building shall not be increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto.

530-58-A

APPLICANT—Leonard F. Rothkrug and Herbst and Rusciano for Ohav Sholem Center of The Bronx, owner.

SUBJECT—Application September 9, 1958—Appeal from a decision of the Borough Superintendent—re Class Rooms and Rabbinical Office on the 2nd floor of a 3 story non-fireproof, Class 3 building.

PREMISES AFFECTED—838 Gerard Avenue, east side,

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236 feet, 5 inches south of East 161st Street, 2nd floor,
Block 2474, Lot 32, Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent,
dated September 3, 1958, on Alt. Applic. 846/57, reads:

"1. The proposed "Class Room and Rabinical Office"
on the 2nd floor of a 3 story non-fireproof class 3 bldg.
is contrary to Sect. 4.2.1 B.C."

and

WHEREAS, the applicant states that the building is 3
stories, 32 feet high, 31 feet 6 inches by 46 feet 4 inches
in area, class 3 construction, erected prior to 1901, located
in residence use, B area, class 1½ height district, used since
1958 as follows: Cellar—ordinary storage, no persons; 1st
floor—synagogue, 126 persons; 2nd and 3rd floors vacant;
that it is proposed to occupy the 2nd story as a school for
25 persons and offices all in conjunction with the 1st floor
synagogue; that the premises adjoins another lot to the north
owned by this same owner; that both lots have vacant rear
yards; that the subject building is equipped with a Multiple
Dwelling law-type fire escape at the rear whereby access
can be had from the 2nd story to the rear yard and out to
the street by means of a proposed fire passage in the cellar
of the adjoining building; that the stairs to the upper stories
which existed when the building was a Multiple Dwelling
have been removed; that it is proposed to construct a new
steel stair 3 foot 8 inch wide enclosed with 8 inch approved
solid type cinder blocks leading directly to the 1st story
exit to the street; that the classrooms will be used for part
time religious instruction; that at no time will the 2nd story
be used for school purposes; that when the synagogue is
occupied the teachers of the school and the students are
required to be on the 1st floor in the synagogue when
religious services are in progress; that the school is solely
supplemental to public education and is not substitutionary;
that the seats in the synagogue are fixed in place so that
aisles will be maintained as shown and the use will not vary
from the synagogue use presently in existence; that the
3rd story is proposed to be kept vacant, therefore in view of
the foregoing the applicant respectfully requests the grant-
ing of this application; and

WHEREAS, the premises was inspected by a committee of
the Board, which recommended the appeal be granted under
certain conditions.

Resolved, that the decision of the Borough Superintendent,
dated September 3, 1958 acting on Alt. Applic. 846/57, Ob-
jection 1, be and it hereby is *modified* and that the appeal be
and it hereby is *granted*, to permit the use of the second
floor, as proposed and as indicated on plans filed with this
appeal, marked "Received September 9, 1958", 7 sheets, and
"November 14, 1958", 5 sheets, *on condition* that the building
in all other respects shall comply with all laws, rules and
regulations applicable thereto and that a steel stair either
fixed or counterbalanced shall be installed at the lowest
run of the rear fire escape.

608-58-A

APPLICANT—Samuel Garnett, for 17 White Street Realty
Corporation, owner.

SUBJECT—Application October 22, 1958—Appeal from a
decision of the Borough Superintendent, re steps to Fire
Escape.

PREMISES AFFECTED—13-19 White Street, south side,
135.2 feet east of West Broadway, Block 176, Lot 25,
Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Garnett.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent,
dated October 22, 1958, on Alt. Applic. 1560/55, reads:

"4. Proposed steps to F. E. are contrary to Sec.
273 of L.L. and F.E.R. of B.S.&A."

and

WHEREAS, the applicant states that the building is 6
stories, 84 feet in height, 88 feet 6 inches front by 86 feet
6 inches in depth, of class 3 construction, erected prior to
1913 located on a lot 88 feet 6 inches front by 100 feet 7
inches in depth, in manufacturing use, B area, class 2
height district, and used and occupied since 1945; cellar—
factory and storage, 7 persons; 1st floor—factory and
storage, 30 persons; 2nd to 6th floors—factory, 60 persons
each floor; that no change in use or occupancy is now pro-
posed; that the building is provided with two-source sprin-
kler system and an approved interior fire alarm system and
regular monthly fire drills are maintained; that there are two
interior 3 foot 8 inch wide wood stairs, enclosed in fire re-
tarded partitions, equipped with fireproof self-closing doors,
both stairs lead to street, one is provided with a ladder and
scuttle and the other extended to roof bulkhead; that in ad-
dition it is proposed to erect a fire escape on the front of
the building extending to street by ladder, with window and
door openings on the course of such fire escape, fireproof
self-closing; and

WHEREAS, plans filed with this appeal indicate that it is
proposed to erect a new Labor Law fire escape on the front
of the building, extending from top story to the 2nd story
with egress from the lower balcony to street by means of
counterbalance stairs; that it is proposed to provide a ladder
and scuttle to roof in the easterly stairhall, in compliance
with the Factory Exit Rules of the Board; that on the 2nd,
3rd, 4th and 6th floors have 2 tenants each, one on either
side of the firewall and a single tenant throughout the 5th
floor; and

WHEREAS, Certificate of Occupancy #32035 issued August
9, 1946, against Alt. Applic. #1741/44, permits the following
use and occupancy; cellar—mirror manufacturing and stor-
age, 7 persons; 1st floor—mirror manufacturing and store,
30 persons; 2nd to 6th floors inclusive—factory 60 persons
each floor; and

WHEREAS, Violation #4065 was issued June 30, 1955 by
the Department of Housings and Buildings, for failure to
provide proper egress as required by Section 271 of the
Labor Law; and

WHEREAS, the owner was convicted and fined in Muncipal
Term Magistrate's Court, October 20, 1958, on a charge of
violation of the Administrative Code; and

WHEREAS, the applicant contends that the purpose of
this appeal is to obtain permission to install the openings to
the fire escapes on the 2nd, 3rd, 4th, and 5th floors, 36 inches
above the floor, in lieu of the maximum of 6 inches as per-
mitted by Section 273 of the Labor Law; and

WHEREAS, the applicant contends that the masonry in the
line of the present openings and the proposed doors to the
fire escape, extends 36 inches above the floor and 24 inches
below the floor; that to be required to place the openings
within 6 inches of the floor, would require cutting at least
30 inches of the existing 60 inches of masonry, which con-
sists of brick and stone, 24 inches thick, built integral with
the piers on each side of the openings; that cutting out
such large percentage of the masonry would be expensive
and would seriously weaken the building walls; that it
would require complex bracing; and

WHEREAS, the applicant states that it is proposed to in-
stall 27 inch wide steel stairs with handrails to the fire sill
escape level; that the openings will be 2 feet wide by 6 feet

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high, equipped with fire doors; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. Applic. 1560/55, Objection No. 4 and that the appeal be and it hereby is granted, on condition that steel stairs at least 27 inches wide with hand rails on both sides shall be built from floor to sill level in front of each 2 feet wide by 6 feet high door leading to fire escape, wherever this sill is over 6 inches above the level of the floor; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area and that the work be substantially as shown on plans marked, "Received November 13, 1958," 8 sheets.

613-58-A

APPLICANT—The Frink Corporation, lessee, for Frinre, Inc., owner.

SUBJECT—Application October 23, 1958—appeal from a decision of the Fire Commissioner re use of Ransburg, 2, Electrostatic Spray Unit, not of approved type, in New York City.

PREMISES AFFECTED—217-283 63rd Street, northwest corner of 3rd Avenue, Block 5798, Lot 46, Borough of Brooklyn.

APPEARANCES—

For Applicant: Merwin Lewis and Kurt Reis.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, the decision of the Fire Commissioner, dated September 25, 1958, reads:

"In reply to your letter of September 25, 1958, requesting permission to install a Ransburg #2 Process Electrostatic Spray Unit, please be advised that this equipment has not been approved for general use in the City of New York. Your request must, therefore, be denied. Your plans have not been further examined.

May I advise you of your right to appeal this denial within 30 days to the New York City Board of Standards and Appeals, 80 Lafayette Street, New York 7, N. Y."

and

WHEREAS, the applicant states that the building is 2 stories, 26 feet high, 576 feet by 102.77 feet in area, class 1 construction, located in unrestricted use, A area district, used and occupied since 1949: 1st floor—manufacturing (metal products), 300 persons; 2nd floor—offices, 50 persons; that for which Certificate of Occupancy #122426/49 against N.B. Applic. 1184/47 was issued; that the building is presently vacant; that it is proposed to occupy the 1st floor for manufacturing of lighting equipment, 150 persons; 2nd floor—offices, 40 persons; that the building is equipped with an approved sprinkler system, standpipe system and an interior fire alarm system; and

WHEREAS, the applicant proposed to install the Ransburg #2 Process Electrostatic Spray System; that the proposed installation is the same installation referred to in 2 matters heretofore before the Board of Standards and Appeals as follows:

1. Case No. 567-57-A—Ruby Philite Corporation.
2. Case No. 4-58-A—Globe International, Inc.

that in both the above cases the Board granted the appeals and the decision of the Board appears in both cases in the Board of Standards and Appeals Bulletin of March 18, 1958;

and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the decision of the Fire Commissioner dated September 25, 1958, acting on Folder No. 588932 be and it hereby is modified and that the appeal be and it hereby is granted to permit the use of the spraying equipment as proposed, on condition that the installation shall in all respects comply with the memorandum report of Committee on Test dated July 1, 1953 filed with Cal. 357-48-SA in connection with the general application for approval of the device; that the solvent used shall have a flash point of not less than 80 degrees F., open cup test; that the spray booth shall be provided with mechanical ventilation of sufficient capacity to insure an exhaust of 5600 cubic feet of air per minute within the booth; that such exhaust shall be so interconnected with the spraying equipment that such spraying equipment shall not operate unless the exhaust is in operation, and further, that the exhaust shall be so arranged as to continue in operation for not less than 3 minutes after the spraying equipment ceases to operate; and that drying and spraying equipment shall be to the satisfaction of the Fire Commissioner and the Commissioner of Buildings.

205-58-A

APPLICANT—Joshua Brown, for Asses Ayoub, owner.

SUBJECT—Application April 8, 1958—Appeal from a decision of the Borough Superintendent, re relocation of lot line.

PREMISES AFFECTED—1758 Victory Boulevard, southeast corner of Manor Road, Block 707, Lot 1, Four Corners, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

206-58-A

APPLICANT—Joshua Brown, for Asses Ayoub, owner.

SUBJECT—Application April 8, 1958—filed pursuant to section 35, General City Law re proposed new building in bed of a mapped street—proposed widening of Victory Boulevard.

PREMISES AFFECTED—1756 Victory Boulevard, south side, 99.49 feet east of Manor Road, Block 707, Lot 6, Four Corners, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

319-58-A

APPLICANT—Leonard F. Rothkrug, for Marla Holding Corp., owner.

SUBJECT—Application May 20, 1958—Appeal from a decision of the Borough Superintendent, re use of Frame Building as Nursing Home, stairways, etc.

PREMISES AFFECTED—51-03 111th Street, southwest corner of 51st Avenue, Block 2007, Lot 40, Corona, Borough of Queens.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

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Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

209-45-A

APPLICANT—Alurion Realty Corp., owner.
SUBJECT—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—245-259 West 41st Street, north side, 100 feet east of 8th Avenue and 260 West 42nd Street, Block 1013, Lots 60 and 5, Borough of Manhattan.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

920-47-A

APPLICANT—Benjamin Saltzman, Borough Supt., Department of Housing and Buildings.

SUBJECT—Revocation of Certificate of Occupancy Number 114232-46 and 116634-47 re B.N. 230/41.

PREMISES AFFECTED—126-128 Greenpoint Avenue, south side, 341 feet 10 inches west of Manhattan Avenue, Block 2563, Lot 26, Borough of Brooklyn.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed; violations which were the basis for this appeal for revocation are no longer outstanding.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

488-49-A

APPLICANT—Philip Steigman, for Abraham Rubinstein, owner.

SUBJECT—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—1253-1263 Boscobel Avenue, west side, 345 feet north of Jerome Avenue, Block 2506, Lots 46 and 48, Borough of The Bronx.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

884-49-A

APPLICANT—Landau Metal Products Corp., for Ruth Realty Co., owner.

SUBJECT—Appeal from a decision re an order of the Fire Commissioner.

PREMISES AFFECTED—2-62 51st Avenue, southwest corner of 5th Street, Block 15, Lot 24, Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley

and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

300-51-A

APPLICANT—Community Cleaners, lessee, for Frank Sid Realty Corp., Owner.

SUBJECT—Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—86-08 37th Avenue, south side, 50 feet east of 86th Street, Block 1474, Lot 1, Jackson Heights, Borough of Queens.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

346-51-A

APPLICANT—Balaban-Gordon Company, Inc., for National Can Corp., owner.

SUBJECT—Application May 3, 1951—Appeal from a decision of the Borough Superintendent—re under section 35 of the General City law, bed of mapped street, 59th Avenue.

PREMISES AFFECTED—52-08 Grand Avenue, south side, 249.56 feet west of 54th Street (loading platform at rear of building); Block 2611, Lot 141, Maspeth, Borough of Queens.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

394-53-A

APPLICANT—Gabriel Nathan, for Philipeter Properties, Inc., owner.

SUBJECT—Application May 28, 1953—filed pursuant to Section 35, General City Law—re premises located in bed of a mapped street—proposed widening of Cornaga Avenue.

PREMISES AFFECTED—1001-1009 Beach 21st Street and 2110 Cornaga Avenue, northwest corner, Block 214, Lot 1, Far Rockaway, Borough of Queens.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal dismissed in view of resolution adopted March 2, 1954, under Cal. No. 393-53-BZ, approving working plans.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

393-54-A

APPLICANT—J. T. Kelleher Borough Superintendent. Thomas J. and Margaret White, owners.

SUBJECT—Application May 18, 1954—re Revocation of Certificate of Occupancy Q87507, issued February 24, 1953, re N.B. 5106-52.

PREMISES AFFECTED—150-29 116th Street, east side,

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98.63 feet north of North Conduit Avenue, Block 11839, Lot 22, Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed in view of action of Board under Cal. No. 802-54-A.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

778-55-A

APPLICANT—125th Street Ferry Auto Sales, Inc., for Department of Marine & Aviation, owner.

SUBJECT—Application September 19, 1955—Appeal from a decision re an order of the Fire Commissioner, hazardous occupancy—non-fireproof construction.

PREMISES AFFECTED—Foot of West 125th Street, west side, of Marginal Street, 20 feet south of West 131st Street, Block 2004, Lot none, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

217-58-A

APPLICANT—Dana Development Corp., owner.

SUBJECT—Application April 10, 1958—Appeal from an order and decision of the Fire Commissioner—re Certificate of Fitness.

PREMISES AFFECTED—201-02 to 201-14 Rocky Hill Road, south side from 201st to 202nd Streets, Block 7353, Lot 101, Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

240-58-A

APPLICANT—Shreve Lamb and Harmon Associated, Empire State Building Corp., owner.

SUBJECT—Application April 14, 1958—Appeal from a decision of the Borough Superintendent, re marquee.

PREMISES AFFECTED—350 5th Avenue, west side, from West 33rd to West 34th Streets, 1-29 West 33rd Street and 2-20 West 34th Street, Block 835, Lot 41, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

484-58-A

APPLICANT—William Pierro Co. Inc., for 29 Clay Street

Corp., owner. William Pierro Co. Inc., Lessee.

SUBJECT—Application August 12, 1958—Appeal from an order of the Fire Commissioner—re dip tanks, covers, etc.

PREMISES AFFECTED—29 Clay Street, north side, 325 feet west of Manhattan Avenue, Block 2482, Lot 53, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

377-50-A—Vol. II

APPLICANT—Patrick D. Concagh, for 29 West 38th Street Corp., owner.

SUBJECT—Application reopened November 27, 1956 as Vol. II—re Appeal from a decision of the Borough Superintendent.

PREMISES AFFECTED—29-33 West 38th Street, north side, 446 feet west of 5th Avenue, 4th, 7th, 9th, 10th, 11th, 12th, 14th, 15th, 16th and 17th floors, Block 840, Lot 23, Borough of Manhattan.

APPEARANCES

For Applicant: Patrick D. Concagh.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

374-58-A

APPLICANT—Simon B. Zelnik, A.I.A., for J. E. Lobert, owner.

SUBJECT—Appeal filed June 20, 1958 from a decision of the Borough Superintendent re construction.

PREMISES AFFECTED—148 West 57th Street, south side, 225 feet east of Seventh Avenue, Block 1009, Lot 55, Borough of Manhattan.

APPEARANCES—

For Applicant: Leon Rosenbaum.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.

SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.

PREMISES AFFECTED—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Michael Schimenti.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for further consideration by the Board and for decision; hearing previously closed.

586-58-A

APPLICANT—Abraham Grossman, for Seymour Nathan, owner.

SUBJECT—Application October 10, 1958—Appeal from a decision of the Borough Superintendent, re egress, fire escape, etc.

PREMISES AFFECTED—101-103 Wooster Street, west side, 125 feet north of Spring Street, Block 501, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Laid over to December 19, 1958, at 10 A. M. for inspection and decision; hearing closed.

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627-41-BZ—Vol. II

APPLICANT—John F. Fitzsimons, for Anthony M. Caspar, and Loretta Livoti, owners.

SUBJECT—Application for consideration—reopening for extension of time to complete which has expired December 17, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7f, 7i and 7A of the Zoning Resolution, to permit in a retail use district the erection and maintenance of a gasoline service station, with accessory uses of office, lubrication, non-automatic car washing, minor motor vehicle repairs with hand tools only, and the parking and storage of motor vehicles.

PREMISES AFFECTED—188-01 to 188-13 Hillside Avenue and 87-75 to 87-83 188th Street, northeast corner, Block 10499, Lot 97, Hollis, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE:

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper..... 3
Negative 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION:

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

“that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution.” (N.B. 525/57)

513-46-BZ—Vol. II

APPLICANT—Nathan R. Ginsburg, for Clymer Realty Company, owner; F. K. S. Upholstery Manufacturing Company, Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution as to term of the variance—re Application, decision of the Borough Superintendent; previously granted on condition, under Section 7e of the Zoning Resolution to permit in a residence use district, the change in use of the present building from repairing and storage of vending machines to the manufacture and storage of upholstered chair seats and backs and the storage of lumber and upholstering materials used for such manufacture.

PREMISES AFFECTED—166 Clymer Street, south side, 200 feet east of Bedford Avenue, Block 2173, Lot 17, Borough of Brooklyn.

APPEARANCES—

For Applicant: Nathan R. Ginsburg.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE:

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper..... 3
Negative 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on November 18, 1958, on certain conditions; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does

hereby *amend* the resolution adopted on November 18, 1958 only so far as it refers to the term of variance, so that as *amended* this portion of the resolution shall read:

“... granted under Section 7, Subdivision e for a term of ten years from the date of this *amended* resolution, to permit; that other than as herein *amended* the resolution above cited shall be complied with in all respects; and that all permits, including a new certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution.” (Alt. App. 591/58)

801-46-BZ—Vol. I & II

APPLICANT—Peggy Cooney, for Teresa Romano, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, for a term of ten years and the addition of motor vehicle repairs, brake testing, wheel alignment and the parking and storage of motor vehicles to existing gasoline service station, auto laundry, lubritorium, storage and sale of accessories and office.

PREMISES AFFECTED—72-01 to 72-09 Eliot Avenue and 60-71 to 60-77 72nd Street, northeast corner, Block 2843, Lot 45, Middle Village, Borough of Queens.

APPEARANCES—

For Applicant: Peggy Cooney.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. I, on January 14, 1947, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on January 20, 1948; and

WHEREAS, the resolution was amended by the Board as Vol. II, on March 22, 1955; and

WHEREAS, the term of variance was extended on January 29, 1957; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 29, 1957, only in so far as it has reference to the requirements for pumps, by adding thereto:

“that pumps of the parkway type, as installed, may be changed to pumps of an approved low type, as shown on plans marked ‘Received November 25, 1958’, one sheet; as passed on by the Borough Superintendent under Misc. App. 835-58, objection disapproved November 19, 1958.”

1063-47-BZ—Vol. II

APPLICANT—Peggy Cooney, for Aupeg Realty Corporation, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7i and 21 of the Zoning Resolution, to permit in the business use district portion of a lot located in a residence and business use district, the addition of motor vehicle repairs to existing storage garage and to permit the erection of signs on exterior of building.

PREMISES AFFECTED—66-01 to 66-25 Austin Street and 94-02 to 94-10 66th Avenue, northeast corner, Block 3156, Lot 101, Forest Hills, Borough of Queens.

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APPEARANCES—

For Applicant: Peggy Cooney.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was amended by the Board as Vol. II, on June 10, 1952, on certain conditions; and

WHEREAS, the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted March 9, 1949, as thereafter *amended* by resolutions adopted through June 10, 1952, by adding thereto:

"that there may be four additional 550 gallon approved storage tanks making a total of eight such tanks, as shown on revised plan marked 'Received November 25, 1958', one sheet, as passed on by the Borough Superintendent under Misc. App. 758/58, objection dated October 22, 1958.

196-49-BZ—Vol. II

APPLICANT—Peggy Cooney, for Socony-Vacuum Oil Company, Inc., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station to include auto laundry, lubritorium, motor vehicle repair shop and office.

PREMISES AFFECTED—1280 Allerton Avenue, southwest corner of Wilson Avenue, Block 4468, Lot 43, Borough of The Bronx.

APPEARANCES—

For Applicant: Peggy Cooney.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, time to obtain permits and complete the work was extended by the Board, as Vol. II, on September 18, 1951; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 25, 1950, as thereafter *amended* by resolutions adopted through September 18, 1951, only insofar as it refers to additional approved gasoline storage tanks so that as amended this portion of the resolution shall read:

"that there may be a total of eleven 550 gallon approved gasoline storage tanks; as shown on amended plan marked 'Received November 25, 1958,' one sheet, as passed on by the Borough Superintendent under Misc. App. 491-58, disapproved October 27, 1958."

321-49-BZ—Vols I & II

APPLICANT—Peggy Cooney, for Louis Cappell, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a residence use district the extension in use and area of existing gasoline service station, to include gasoline service station, lubritorium, auto washing, motor vehicle repairs

and office, and the parking of motor vehicles waiting to be serviced, for a term of years.

PREMISES AFFECTED—59-14 Beach Channel Drive and 404 Beach 60th Street northeast corner, Block 430, Lot 109, Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Peggy Cooney.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. I, on November 22, 1949, on certain conditions; and

WHEREAS, the resolution was amended by the Board on February 15, 1955 as Vol. II and again amended on May 17, 1955; and

WHEREAS, the term of variance was extended on October 18, 1955; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on November 22, 1949, as thereafter *amended* by resolutions adopted through October 18, 1955, only insofar as it has reference to additional pumps so that as *amended* this portion of the resolution shall read:

"that an additional pump may be installed as indicated on plan marked 'Received November 25, 1958,' one sheet, as passed on by the Borough Superintendent under Misc. App. 1229/58, objection disapproved November 25, 1958.

614-54-BZ—Vol. II

APPLICANT—Lama, Proskauer & Prober, for Jacob Nathanson, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7f, 7h 7i and 7A of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, office and sales, minor auto repairs, auto showroom, office, parking of cars in open area with show windows, signs and curb cuts within 75 feet of a residence use district, for a stated term of 15 years.

PREMISES AFFECTED—1101-1111 63rd Street and 6209-6223 11th Avenue, northeast corner, Block 5731, Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board as Vol. II, on April 15, 1958, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on April 15, 1958 by adding thereto:

"that the distance back from 11th Avenue, and the size of the showroom may be in accordance with revised plans marked 'Received December 15, 1958', provided the planted area across the entire rear of the premises and all other requirements shall be in accordance with

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the plans previously approved; as passed on by the Borough Superintendent under NB App. 1941/56, objection 3, dated October 31, 1958.

630-55-BZ

APPLICANT—Larry Meltzer, for Henor Realty Corporation, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete and amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7h of the Zoning Resolution, to permit in a residence and restricted retail use district, the parking of more than 5 cars.

PREMISES AFFECTED—73-83 Henry Street and 92 Orange Street, southeast corner and 89-93 Pineapple Street, Block 227, Lots 5-10, 13 and 32-34, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board on June 12, 1956, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 12, 1956, only insofar as it has reference to obtaining permits and the completion of the work, so that as *amended* this portion of the resolution shall read:

"that all required permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution; and as to the construction of the building for an attendant the resolution is *amended* so that this part of the resolution shall read:

"except that there may be a building not over one hundred square feet in area and one story in height of Class 3 or Class 5 construction erected solely as an office and shelter for the attendant." (Alt. 2385/55)

615-56-BZ

APPLICANT—Max Siegel Associates, for Hotel Springfield Corp., owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence use and C area district, the construction of a one story building to be used as a supermarket and occupying more than the permitted area.

PREMISES AFFECTED—252-258 Bleecker Street and 1-5 Leroy Street, northwest corner, Block 586, Lots 67-71 inclusive, Borough of Manhattan.

APPEARANCES—

For Applicant: John Hronec.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board on July 9, 1957, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on July 1, 1958; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 9, 1957 and as *amended* by resolution adopted July 1, 1958, by adding thereto:

"that signs may be constructed as would be permitted if the building were located in a local retail district and specifically, the signs as previously shown on plans filed marked, 'Received September 13, 1958,' and as now filed marked, 'Received November 5, 1958,' to permit such sign to be illuminated but not to project beyond the street line more than the Code permits." (E.S. Applic. 642/58 and N.B. 121/56)

874-56-BZ

APPLICANT—John F. Fitzsimons, for Pasquale Lobosco, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution and extension of time to complete—re Application, decision of the Borough Superintendent, previously granted on condition, under sections 7e, 7f, 7h, 7i and 7A of the Zoning Resolution, permitting in a business and residence use district, the erection and maintenance of a gasoline service station, office, greasing, storeroom, motor vehicle repair shop, car washing, boiler room and parking and storage of more than 5 motor vehicles, with curb cuts within 300 feet of the entrance of a school.

PREMISES AFFECTED—30-01 to 30-49 Linden Place and 136-01 to 136-25 31st Road, northeast corner, Block 4371, Lot 1 and Block 4372, Lot 27, Flushing, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons and Pasquale Lobosco.

ACTION OF BOARD—Application reopened, resolution amended and time to complete extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3

Negative: 0

Absent: Vice Chairman Keating and Commissioner Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957 only as it refers to time within which to obtain permits and complete the work so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this amended resolution;

"and to permit the rearrangement of the accessory building and the reduction of the plot as indicated on revised plans marked 'Received December 1, 1958', 2 sheets, *on condition* that in all other respects the resolution above referred to shall be complied with." (NB App 4032-56)

875-56-A

APPLICANT—John F. Fitzsimons, for Pasquale Lobosco, owner.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Filed pursuant to Section 35, General City Law—re erection of building in bed of mapped street, 136th Street.

PREMISES AFFECTED—30-01 to 30-49 Linden Place and 136-01 to 136-25 31st Road, northeast corner, Block 4371, Lot 1 and Block 4372, Lot 27, Flushing, Borough of Queens.

3
University of Illinois Library
Serials Dept.
Urbana, Ill.

MINUTES

APPEARANCES—

For Applicant: John F. Fitzsimons, and Pasquale Lobosco.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 17, 1957, on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on December 17, 1957, so that as *amended* this portion of the resolution shall read:

"in accordance with the requirements set forth in the resolution adopted under Cal. No. 874-56-BZ as *amended* December 16, 1958." (N.B. 4032/56)

419-57-BZ

APPLICANT—Lama, Proskauer & Prober, for 104 East Broadway Corporation, owner.

SUBJECT—Application for consideration—reopening for extension of time to complete which has expired December 10, 1958—re Application, decision of the Borough Superintendent; previously granted on condition, under Sections 7f and 7i of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs, car wash, storage, office and sales, parking and storage of motor vehicles.

PREMISES AFFECTED—2-8 Pike Street, west side, from East Broadway to Division Street, 100-104 East Broadway and 89-95 Division Street, Block 282, Lots 57 and 58, Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time to complete work extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative 0
Absent: Vice Chairman Keating and Commissioner
Kleinert 2

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 10, 1957, on certain conditions; and

WHEREAS, the resolution was amended on October 21, 1958; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does

hereby *amend* the resolution adopted on December 10, 1957, as thereafter *amended* by resolution adopted on October 21, 1958 only as to the time within which to obtain permits and complete the work, so that as *amended* this portion of the resolution shall read:

"that all permits required, including a certificate of occupancy, shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution from the date of this *amended* resolution." (N.B. APP. 30/57)

254-58-BZ

APPLICANT—Samuel S. Schiffer, for Masko Distributing Corp., owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under Sections 7e of the Zoning Resolution, to permit in a residence use district in an existing two story building, the change in occupancy of the first floor from public garage to receiving and shipping, office, storage and factory.

PREMISES AFFECTED—301-305 Vernon Avenue, north side, 325 feet east of Sumner Avenue, Block 1585, Lots 55 and 57, Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice-Chairman Keating and Commissioner
Kleinert 2

629-58-BZ

APPLICANT—Irving Frome, for Peter J. Bresciani and Bres Realty Co., owner.

SUBJECT—Application November 3, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a local retail use district, the parking of more than five (5) motor vehicles of the passenger type only.

PREMISES AFFECTED—263 3rd Avenue and 201 East 21st Street, northeast corner, Block 902, Lot 1, Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: 0
Absent: Vice-Chairman Keating and Commissioner
Kleinert 2

Adjourned: 6:00 P. M.

JOSEPH J. DOYLE, *Chief Clerk*.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

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LOCAL LAW—72 OF 1958

Effective December 19, 1958

A Local Law to amend the administrative code of the City of New York in relation to the payment of fees in connection with the filing of applications with the Board of Standards and Appeals.

Be it enacted by the Council as follows:

Section 1.—Section 669-1.0 of the administrative code of the city of New York as amended by local law ninety-four for the year nineteen hundred fifty-seven is hereby amended to read as follows:

Sec. 669-1.0 Fees—The following fees shall be charged for the following applications, appeals and reviews:

1. a. Application for approval of materials, (and) appliances and methods or variances of construction \$100.00
b. Application for amendment of prior approval of materials, appliances and methods or variances of construction 25.00
2. a. Application to vary the application of the zoning resolution, except as provided in subdivision b 100.00
b. Where such application is for conversion of a one-family dwelling to a two family dwelling 25.00
c. Application for an extension of the term of years of zoning variance previously granted. 50.00
d. Application for a change in use, height or area of premises in connection with a zoning variance previously granted 50.00
3. Appeal from or application for review of any order, requirement, decision or determination of the commissioner of buildings or of any superintendent of buildings or of the fire commissioner or any rule or regulation or amendment or repeal thereof made by the fire commissioner 10.00
4. Application for an extension of time in which to comply with conditions imposed in the resolution of the Board of Standards and Appeals 10.00
5. Exemptions—
 - a. The provisions of this section shall not apply if the owner of the premises affected by the application, appeal or review be a corporation or association organized and operated exclusively for religious, charitable or educational purposes, or for one or more such purposes, no part of the net earnings of which enures to the benefit of any private individual, and provided that the premises affected are to be used exclusively by such corporation or association for one or more of such purposes.
 - b. The provisions of this section shall not apply if a municipal department or agency of the city is the applicant before the Board of Standards and Appeals.

Sec. 2—This local law shall take effect immediately...

COURT DECISIONS

PETITIONS AND ORDERS OF CERTIORARI SERVED ON THE BOARD OF STANDARDS AND APPEALS

On December 4, 1958, Copy of Petition and Order of Certiorari was served on the Board by Raphael H. Weissman, attorney for Petitioners, John Lawrence Fopeano, Gloria Maria Fopeano, Nathan Rubin and Sam Rubin, objecting property owners, seeking a review of the Board's determination on October 28, 1958, granting a variance by a vote of 3 to 2 under Sections 7f, 7e and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, car wash, minor auto repairs, office, parking and storage of motor vehicles for a stated term of fifteen (15) years; Cal. No. 625-53-BZ, Vol. II; premises 1043-1059 McDonald Avenue and 101-111 Foster Avenue, northwest corner, Block 5426, Lots 1 and 5, Borough of Brooklyn.

* * * * *

On December 24, 1958, An Order of Certiorari and Petition was served on the Board by Levine & Gordon, attorneys for Jamo Builders, Inc., owner, seeking a review of the Board's denial on November 18, 1958 of their application, reopened June 3, 1958 as Volume III—based on a decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubritorium, and other accessory uses; Calendar Number 182-52-BZ—Vol. III; Premises 18-10 Utopia Parkway, 169-01 to 169-07 19th Avenue, northwest corner, 169-02 to 169-04 18th Avenue and 18-01 to 18-19 169th Street, Block 5743, Lot 75, Whitestone, Borough of Queens.

* * * * *

On December 18, 1958, Copy of Petition and Order to Show Cause was served on the Board by J. Wolfe Chassen, attorney for petitioners, Barnett Guthartz, et al., objecting property owners, seeking a review of the Board's determination of November 25, 1958, granting a variance 3 to 2 under Section 22A, subdivisions 7e, 7i and 7h of the Zoning Resolution for a term of 15 years to permit in a residence use, G-1 area district the erection and maintenance of a gasoline service station, parking and storage of motor vehicles and less than the required 15 feet from the street line; Calendar Number 863-48-BZ—Vol. II; Premises 259-16 Union Turnpike, south side, from 259th to 260th Streets, 259-11 to 259-21 79th Avenue and 77-02 to 77-06 260th Street, Block 8676, Lot 1, Glen Oaks, Borough of Queens.

* * * * *

On December 19, 1958, Copy of Order to Show Cause to Review A Determination was served on the Board by Robert J. Pallone and Harry H. Greis, attorneys for petitioner, Henry C. Baurley objecting property owner, seeking a review of the Board's determination of November 18, 1958, granting a variance under Sections 7f, 7i and 7A of the Zoning Resolution for a term of 15 years to permit in a retail use district, the erection and maintenance of a gasoline service station; Calendar Number 199-58-BZ; Premises 950-958 Morris Park Avenue and 1740-1748 Bogart Avenue, southeast corner, Block 4096, Lots 1-4 inclusive, Borough of The Bronx.

COURT DECISIONS

Matter of Montebello vs. Harris H. Murdock, et al:—On October 16, 1956, the Board granted a variance under Section 7e, for a term of fifteen years, to permit the premises, in a restricted retail use district, to be occupied for the erection and maintenance of a gasoline service station, lubritorium, auto washing, motor vehicle repairs, storage and sale of accessories, and to permit the parking and storage of motor vehicles on unbuilt-upon portion of a plot, with an accessory building in accordance with revised plan and amendment adopted on October 30, 1956; Cal. No. 636-54-BZ, Vol. II; Premises 9612-9624 Seaview Avenue, 2016-2024 Rockaway Parkway, Borough of Brooklyn.

At Special Term, Supreme Court, Kings County, Part I, Mr. Justice Baker, sustained the Board in its determination, in the following decision (N. Y. L. J. May 31, 1957, page 11):

Matter of Montebello (Board of Standards and Appeals of City of New York)—Motion to vacate an order of certiorari, dismiss the petition, and affirm the determination of respondents.

Petitioner brought a proceeding to annul a resolution of respondents which granted a variance of a zoning use to permit erection of a gasoline service station. Petitioner based his application on two grounds, first, that the published and mailed notice of hearing before the board was insufficient in law, in that it incorrectly described the site as the *southeast* corner of Seaview Avenue and Rockaway Parkway, whereas the correct location is the *southwest* corner; and, second, that the resolution granting the variance was an abuse of discretion.

With respect to the first objection (the incorrect compass description, later corrected by a resolution of the board), respondents allege that petitioner was not misled thereby since, on a previous application affecting the same site, which was withdrawn, the identical description was used, and petitioner, among others, attended the hearing and opposed the application. The notice of hearing on the first application, described the property as Nos. 9612-9624 Seaview Avenue and Nos. 2016-2024 Rockaway Parkway, *southeast* corner, block 8328, lot 25, Borough of Brooklyn, and the notice of the second hearing, which petitioner did not attend, contained the same description.

It seems to this court that the notice, as published, sufficiently described the site involved so as to identify it. The description included street numbers and the proper block and lot description of

the premises. An examination of the map indicates that neither Rockaway Parkway nor Seaview Avenue runs true north and south. Either might be designated as a north and southbound street. The site involved, except for the policy with respect to the area adopted by the Department of Buildings, might be considered the southeast or southwest corner with equal accuracy. The description of the site as *southeast* instead of *southwest* was not so erroneous and misleading as to render the notice jurisdictionally defective. No one was or could have been misled.

Petitioner has also failed to show that the granting of the variance will interfere with the enjoyment or use of his property or that it is detrimental to public health, safety or the general welfare.

The record indicates a reasonable basis and sufficient evidence for the exercise of respondents' powers and the determination is neither arbitrary, capricious nor contrary to law and therefore may not be set aside (*Matter of Douglaston Civic Ass'n v. Board of Standards and Appeals*, 278 App. Div., 659, 660, aff'd 302 N. Y. 920; *Matter of Sima v. Board of Standards and Appeals*, 278 App. Div., 785). The determination of respondents is affirmed and the petition dismissed.

Upon further review to the Appellate Division, Second Department, the decision of the court was, as follows: "Proceeding to review a determination of the Board of Standards and Appeals of the City of New York which granted an application under subdivisions (e) and (i) of section 7 of the Zoning Resolution of the City of New York for a variance to permit the erection and operation of a gasoline service station and accessory uses, in a restricted retail use district, for a period of fifteen years, subject to conditions and safeguards imposed by the board. The appeal is from an order vacating, on respondent's motion, an order of certiorari, dismissing the petition and confirming the determination. Order unanimously affirmed, with costs. No opinion. (N. Y. L. J. December 9, 1958, page 14).

* * * * *

Matter of Walsh vs. Murdock:—On May 28, 1957 the Board denied an application under Sections 7f, 7i, and 7h of the Zoning Resolution for a zoning variance, to permit in a business and restricted use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, motor vehicle repairs, storage and sale of accessories and office; and to permit the parking and storage of motor vehicles on unbuilt upon portion of the plot, for a term of fifteen (15) years; Cal. No. 510-39-BZ—Vol. II; Premises 5821-5839 Broadway and 251-265 West 238th Street, northwest corner, Block 3414, Lots 334, 336 and 340, Borough of The Bronx. The plot is presently used for parking.

At Special Term, Supreme Court, Mr. Justice Hofstadter affirmed the decision of the Board. (N. Y. L. J., December 4, 1958, page 12).

* * * * *

Matter of Soldiers, Sailors & Airmen's Club, Inc. vs. Board:—On July 19, 1955 the Board granted a variance under Section 21 of the Zoning Resolution, to permit in a residence use, D area district the erection and maintenance of a medical office building for education, research, consultation, examination and therapy in connection with cancer and its allied diseases, using more than the area permitted; Cal. No. 293-52-BZ—Vol. II. Premises 277-279 Lexington Avenue, east side, 42½ feet north of East 36th Street, Block 892, Lot 22, Borough of Manhattan.

Upon court review, Mr. Justice Markowitz upheld the decision of the Board as to additional area of the building, citing the new decisions of the Appellate Division, (*Village of Bronxville v. Francis*, 1 App. Div. 2d 236) and as cited in the Law Journal of November 26, 1958, page 11, in the *Matter of Ryback v. Murdock*. (N. Y. Law Journal, December 9, 1958, page 13).

* * * * *

Matter of North American Holding Corporation vs. Board:—On January 31, 1956, the Board denied an application under Section 21 of the Zoning Resolution to permit in a residence and business use district a proposed change of use to stores in cellar, which is in the residence use district; Cal. No. 225-36-BZ—Vol. III; premises 1180-1188 Grand Concourse, 180-188 East 167th Street, southeast corner, Borough of The Bronx.

At Special Term, Supreme Court, Bronx County, Mr. Justice Flynn directed that the determination of the Board be set aside and the matter submitted to the Board for rehearing. (N. Y. Law Journal of July 16, 1957, p. 4.)

In view of the interpretation of the law as enunciated by the court, notice of appeal to the Appellate Division has been filed.

Upon further appeal to the Appellate Division of the First Department, (Proceeding No. 899), the appeal unanimously dismissed, as a matter of law, with \$20 costs and disbursements to petitioner-respondent. Opinion by Breitel, J. Order filed. (N. Y. Law Journal, December 10, 1958, page 11.)

Mr. Justice Breitel, speaking for the court, called attention to the order remitted by the court at Special Term for a rehearing in accordance with the views expressed and he discussed at length as to whether the order entered at Special Term is intermediate or final in character, stating in part:

"The judicial process here is not the petition; it is the order; or, in the traditional practice in certiorari, the writ. To the extent that the Administrative Code is not specific in its procedural directions, the procedure set up by Article 78 of the Civil Practice Act controls, since it is there provided that, whenever in any statute reference is made to a writ or order of certiorari . . . such reference shall, so far as applicable, be deemed to

COURT DECISIONS

refer to the proceeding authorized by the article' (Civil Practice Act, sec. 1283)" (p. 69). "Since Article 78 is applicable, the appeal must be dismissed if the order appealed from is intermediate rather than final. This would follow because of the failure by appellant board to first obtain leave to appeal, as required by Section 1304 of the Civil Practice Act." "Accordingly, the appeal should be dismissed as a matter of law. . . . All concur." (N. Y. Law Journal, December 10, 1958.)

In the Law Journal of December 19, 1958, page 1, the Appellate Division, First Department, discussed final and intermediate appeals from order remanding proceedings to the Board, stating as follows:

"A proceeding to review a determination of the Board of Standards and Appeals is not controlled exclusively by the provisions relating to such proceedings in the City Charter and the Administrative Code of the City of New York. The provisions in Article 78 of the Civil Practice Act apply, including the provision in section 1134 that, unless the court directs otherwise, an appeal from an intermediate order may be taken only in connection with an appeal from the final order. Whether an order reviewing a determination of an administrative agency, which annuls that determination and remits the matter to the agency for further action, is final or intermediate depends on whether the further action required is merely ministerial or involves the exercise of quasi-judicial responsibility. Since the Board of Standards and Appeals, under an order remanding a proceeding to it for a 'rehearing in accordance with the views set forth in the opinion' of the court, will be required to exercise judgment

and discretion with respect to the matters presented at the rehearing, the order is intermediate, and, leave not having been obtained, an appeal from the order must be dismissed."

* * * * *

Matter of Steelmaster vs. Murdock:—On March 26, 1957, the Board denied an application under Section 7c and 21 of the Zoning Resolution to permit in a business and residence use, B area district, the proposed 1 story extension of an existing 1 story warehouse building using more than the area permitted; Calendar Number 925-50-BZ—Vol. III; Premises 204-238 West 234th Street south side, from Broadway to Kingsbridge Avenue, 5695 Broadway and 3250-3254 Kingsbridge Avenue, Block 3405, Lots 31, 33 and 41, Borough of The Bronx.

Upon court review, Mr. Justice Loreto at Special Term, Supreme Court, remanded the matter to the Board for further action to make necessary findings of fact for the assistance of the court, stating: "In paragraph 38 of the return, 13 reasons are stated as justifying the Board in denying the variance. These are not stated as facts found by the Board." (N. Y. Law Journal, October 8, 1958, page 14.)

* * * * *

Matter of Preston, et al, vs. Murdock:—On February 25, 1958 the Board granted a zoning variance to permit a gasoline service station on certain conditions at 38-06 Greenpoint Avenue, S.W. Corner of 50th Avenue, Woodside, Borough of Queens; Cal. No. 313-33-BZ—Vol. III. Upon court review brought by the objectors, the decision of the Board was affirmed by Mr. Justice Groat. (N. Y. Law Journal, December 8, 1958, page 14).

CALENDAR

DOCKET

New Cases filed up to December 23, 1958

Cal. No. Dept. Premises Affected

741-58-A—B.Bx.—1057-1061 Washington Avenue, west side, 137.8 feet north of East 165th Street, Block 2387, Lots 41 and 42, Borough of The Bronx, Amendment to Alt. 71-52-re Class 3 Construction, area excessive.

742-58-BZ—B.Bx.—2510 Boston Road, southeast corner of Wallace Avenue, Block 4435, Lot 1, Borough of The Bronx, Alt. 1057-58—re motor vehicle repair shop—business use district.

743-58-BZ—B.Q.—77-11 21st Avenue, northeast corner of 77th Street, Block 946, Lot 41, Jackson Heights, Borough of Queens, NB 3901-58—re garage, 32 cars, non-storage, residence use district.

744-58-A—B.Q.—77-11 21st Avenue, northeast corner of 77th Street, Block 946, Lot 41, Jackson Heights, Borough of Queens, NB 3901-58—re Class 3 construction, area excessive.

745-58-BZ—B.B.—2556-2558 East 14th Street, west side, 125 feet north of Avenue Z, Block 7434, Lots 30, 31 and 32, Borough of Brooklyn—Alt. 4126-58—re parking and storage of motor vehicles on vacant portion of lot—residence use district.

746-58-BZ—B.Q.—2411 Beach Channel Drive, southwest corner of Beach 74th Street, Block 543, Lot 1, Aiverne, Borough of Queens, NB 3826—re erection of gasoline service station—parking and storage of motor vehicles, office, minor auto repairs, also erection of ground sign—business use district.

747-58-A—B.M.—446 East 86th Street and 1625-1631 York Avenue, southwest corner, Block 1565, Lots 26, 126, 27 and 28, Borough of Manhattan, NB 138-58—re review of Borough Superintendent's decision—on zoning matter.

748-58-SA—Wells Triplepass Oil Line Preheater, Model TP-600, manufactured by Wells Manufacturing Co., Appliance.

749-58-BZ—B.Q.—166-33 Powells Cove Boulevard, north side, 1034.87 feet east of 161st Street, Block 4574, Lot 103, Whitestone, Borough of Queens, NB 3911-58—re Day Camp in conjunction with Nursery School—residence use district.

750-58-BZ—B.B.—797-801 Park Avenue, north side, 100 feet east of Throop Avenue, Block 1733, Lot 63, Borough of Brooklyn, Alt. 2766-58—re change in use of portion of structure from public use to business use—Funeral Parlor etc.—residence use district.

751-58-SM—Neoprene and Hypalon Synthetic Rubbers, for roof coatings, manufactured by E. I. Dupont de Nemours and Co., Elastomer Chemicals Dept., Material.

752-58-SA—Stow Portable Space Heater, Oil-fired, Models S100, S140, S210 and S300A, manufactured by Stow Manufacturing Co., Appliance.

753-58-BZ—B.Bx.—1720 Boone Avenue and 1020 East 174th Street, southeast corner, Block 3015, Lot 19, Borough of The Bronx, NB—1173-58—re erection and maintenance of a gasoline service station, office, lubritorium, car washing, accessory sales, repairs with hand tools only, used car sales, etc., parking and storage of motor vehicles—business and unrestricted use districts.

754-58-BZ—B.B.—280-282 Baltic Street, southside, 152 feet, 11 inches of Court Street, Block 402, Lot 13, Borough of Brooklyn, Alt. 4140-58—re area for manufacturing, excessive—business use district.

755-58-BZ—B.Q.—72-25 Woodhaven Boulevard, 90-01 to 90-19 73rd Avenue, northeast corner and 90-22 to 90-26 Metropolitan Avenue, Block 3884, Lot 2, Middle Village, Borough of Queens—NB 1698-58—re area—excessive for business use, D area district.

CALENDAR

Restored to Docket

JANUARY 6, 1959, 10 A.M.

171-46-A—Vol. III—B.B.—21-41 North 11th Street, 36-50 Kent Avenue, northwest corner and 28-66 North 12th Street, Block 2287, Lot 1, Borough of Brooklyn, Alt. 339-58—re construction.

DESIGNATIONS: B.—Department of Buildings; B.B.—Department of Buildings, Brooklyn; B.M.—Department of Buildings, Manhattan; B.Q.—Department of Buildings, Queens; B.R.—Department of Buildings, Richmond; B.Bx.—Department of Buildings, Bronx; H.D.—Health Department; F.D.—Fire Department, and M. and A.—Dept. of Marine and Aviation.

RULES

Last Publication

Arc and Gas Welding and Oxygen Cutting	Nov. 27, 1956.
Carbon Dioxide Liquefier, Rules..	Mar. 18, 1947—Vol. 32, No. 11
Cements, Air Entraining Portland, Rules for Approval and Use of	April 12, 1955.
Cements, Blended, Rules for Testing and Use of	Mar. 15, 1955—Vol. 40, No. 11
Certificate of Occupancy, approved form	Dec. 28, 1943—Vol. 28, No. 52A
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	April 24, 1951—Vol. 36, No. 7A
Dry Cleaning Establishments, Rules Covering	Sept. 15, 1955.
Concrete Rules (Hydrated Lime)..	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Erection, Alteration, Repair, Excavation for and Demolition of Buildings	Feb. 1, 1956.
Exit Rules (Revolving Doors) ...	June 15, 1937—Vol. 22, No. 24
Exterior Veneering Materials, Rules for	Mar. 11, 1952—Vol. 37, No. 11A
Factory Exit Rules	Feb. 22, 1955.
Fire Alarm Rules (Interior).....	April 15, 1958.
Fire Drill Rules	April 15, 1958.
Fire Resistive, Flameproof Materials, etc., Rules for Testing of Fire Retarding Rules for Garages, Motor Vehicle Repair Shops and Oil Selling Stations	Jan. 8, 1957.
Fireproof Wood, Testing of.....	Apr. 22, 1952—Vol. 37, No. 17
Gas Shut-Off Rules	Apr. 13, 1937—Vol. 22, No. 15
Hatchway Protection	Apr. 7, 1925—Vol. 10, No. 14
Insulating Fibre Board Rules	June 5, 1928—Vol. 13, No. 23
Methyl Chloride Rules for Class B and C Refrigerating Systems...	Mar. 25, 1952—Vol. 37, No. 13A
Oil Burner Rules	Feb. 11, 1947—Vol. 32, No. 6
Opening Protective Assemblies, Rules for Inspection of	Nov. 20, 1956.
Parking and Storage of Motor Vehicles—Rules of Commissioner of Housing and Buildings	May 27, 1954.
Plumbing Rules	Sept. 7, 1948—Vol. 33, No. 36
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply) Procedure, Rules of	Aug. 3, 1937—Vol. 22, No. 31
Smoking in Factories, Rules for..	Nov. 13, 1956.
Spraying and Drying of Paints, Varnishes, Lacquers, etc.	Sept. 7, 1937—Vol. 22, No. 36
Sprinkler, Rules	April 15, 1958.
Standpipe Fireline Rules	Mar. 4, 1958.
Structural Alterations, Reporting.	June 29, 1937—Vol. 22, No. 26
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..	June 8, 1937—Vol. 22, No. 23
	June 7, 1932—Vol. 17, No. 23
	Sept. 3, 1946—Vol. 31, No. 36
Zoning Resolution, Rule to Supplement Section 19-A—July 11, 1958.	

Section I, List of Approved Gas Fired Heating Equipment, Gas Burner and Heater Accessories. Oil Fired Heating Equipment and Oil Burner and Heater Accessories, issued June 1, 1955, listing all approvals through May 24, 1955.

Section II, List of Approved Concrete and Clay Products, issued June 27, 1958, listing all approvals through July 2, 1957.

These pamphlets may be purchased at 80 Lafayette Street, Manhattan. Single Copies \$1.25; By Mail—\$1.50.

Further Sections will be published, containing other approved materials and appliances.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, January 6, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:

117-58-BZ

APPLICANT—John J. Lynch and James J. Lyons, Jr., for 60 Duane Street Corp., owner.

SUBJECT—Application February 21, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a business and residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles to extend into the residence portion of the premises.

PREMISES AFFECTED—928-932 Simpson Street, east side, 83.8 feet south of East 163rd Street, Block 2723, Lot 36, Borough of The Bronx.

Laid over from December 16, 1958, to January 6, 1959, at the request of an objector.

991-57-BZ

APPLICANT—Julius S. Rapson, for Rosedale Park Homes, Inc., owner.

SUBJECT—Application December 30, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the erection of a one family dwelling without the required front yard and within twenty feet of the rear lot line.

PREMISES AFFECTED—129-45 Brookville Boulevard, northeast corner of 130th Avenue, Block 12889, Lot 1, Rosedale, Borough of Queens.

323-58-BZ

APPLICANT—Charles M. Spindler, for 9201 Third Avenue Corp., owner.

SUBJECT—Application May 22, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7h, 7i, 7A and 21 of the Zoning Resolution, to permit in a retail and residence use district, the change in use from parking lot to a gasoline service station with accessory uses of lubritorium, car washing—non-automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and parking and storage of motor vehicles with show windows and signs within 75 feet of a residence use district, the proposed building encroaches on the required rear yard.

PREMISES AFFECTED—92-01 to 92-13 3rd Avenue and 302-314 92nd Street, southeast corner, Block 6103, Lots 5, 7, 8, and 9, Borough of Brooklyn.

505-58-BZ

APPLICANT—Reginald S. Hardy, for Daniel J. Schaefer, owner.

SUBJECT—Application August 26th, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles for accessory use by patron of the funeral home and by parishioners of the church across Fourth Avenue—no fee to be charged.

PREMISES AFFECTED—416 42nd Street, south side, 100 feet, east of 4th Avenue, Block 724, Lot 11, Borough of Brooklyn.

1002-55-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober, for Abraham Rosenberg, Rebecca Rosenberg, Sylvia Rosenberg and Shirley Firkser, Marion Friedman and Ruth Gold, owners.

SUBJECT—Application reopened May 20, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail and residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor

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auto repairs, car washing, office and sales, storage and parking of cars waiting to be serviced.

PREMISES AFFECTED—113-14 to 113-20 Rockaway Boulevard (113-16 official) and 114-24 to 114-30 114th Street, southwest corner, Block 11705, Lots 36, 37, 38, 39 and 40, Jamaica, Borough of Queens.

206-47-BZ—Vol. III

APPLICANT—Joshua Brown, for Anthony Coppola, owner.

SUBJECT—Application reopened April 8, 1958—as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, extension of the use of the present gasoline service station to include an authorized state auto inspection station, minor repairs and parking and storage of more than five cars awaiting service.

PREMISES AFFECTED—167 Olympia Boulevard and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

625-58-A

APPLICANT—Joshua Brown, for Anthony Coppola, owner.

SUBJECT—Application October 30, 1958—filed pursuant to section 35, General City Law re proposed driveway and Curb Cuts in bed of a mapped street—proposed widening of Olympia Boulevard.

PREMISES AFFECTED—167 Olympia Boulevard, and 265 Kensington Avenue, northeast corner, Block 3255, Lot 32, South Beach, Borough of Richmond.

1187-24-BZ—Vol. III

APPLICANT—New York Telephone Company for same, owner, Harold V. Dixon, General Solicitor.

SUBJECT—Application reopened June 17, 1958 as Vol. III—decision of the Borough Superintendent under sections 7d and 21 of the Zoning Resolution, to permit in a residence use, E-1 area district, the New York Telephone Company to construct a one-story addition to the two story portion of the Richmond Hill Central Telephone Exchange building.

PREMISES AFFECTED—87-28 109th Street (official 87-28 109th Street) west side, 264.67 feet south of Jamaica Avenue and 87-29 108th Street, Block 9298, Lot 91, Borough of Queens.

573-57-BZ

APPLICANT—W. P. LaVallee, for Alexander Lo Re, owner.

SUBJECT—Application July 25, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G area district, the continuance of an existing garage that encroaches on the required rear and side yards.

PREMISES AFFECTED—85-15 Chevy Chase Street, east side, 103.1 feet south of Grand Central Parkway, Block 9968, Lot 100, Jamaica, Borough of Queens.

493-57-BZ

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in an unrestricted and business use district, the change in use from furniture storage to manufacturing of wearing apparel with an area used for manufacture in excess of that permitted.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

494-57-A

APPLICANT—Leonard F. Rothkrug, for Frelude Realty Corp., owner.

SUBJECT—Application June 25, 1957—Appeal from a decision of the Borough Superintendent, re live load, exit, etc.

PREMISES AFFECTED—411-415 Bedford Avenue, east side, 68 feet south of South 8th Street, Block 2138, Lots 7 and 8, Borough of Brooklyn.

1086-23-BZ—Vol. II

APPLICANT—Larry Meltzer, for Chassen Realty Company, Inc., owner (Joseph Stern doing business as Hide-A-Way Garage, lessee).

SUBJECT—Application reopened May 28, 1957 as Vol. II—decision of the Borough Superintendent, under section 7i of the Zoning Resolution, to permit in a business use district, in an existing one-story building, the change in use from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and motor vehicle repair shop—non collision or body work.

PREMISES AFFECTED—2772-2774 West 15th Street, west side, 190 feet north of Neptune Avenue, Block 6996, Lot 87, Borough of Brooklyn.

129-58-BZ

APPLICANT—Robert J. Crinnion, for Edward T. and Ada McCarroll, owners.

SUBJECT—Application March 6, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3510 Putnam Place and 288 East 211th Street, southeast corner, Block 3356, Lot 10, Borough of The Bronx.

455-58-BZ

APPLICANT—Kenneth W. Milnes, for Gaetano Trubia, owner.

SUBJECT—Application July 24, 1958—decision of the Borough Superintendent, under sections 7c and 7A of the Zoning Resolution, to permit in a local retail use district, the reconstruction and rehabilitation of an existing gasoline service station, accessory building for a lubritorium, car wash, auto repairs—mainly with hand tools and to install one new pump, relocate the existing pumps and install three additional tanks and provide a business sign within 75 feet of a residence use district.

PREMISES AFFECTED—194 Brighton Avenue, southwest corner of Sumner Place, Block 117, Lot 20, New Brighton, Borough of Richmond.

402-42-BZ—Vol. II

APPLICANT—Charles M. Spindler, for Frank A. Flinker, owner; Standard Tex and Kalsomine Co., owner.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the continuance and extension in area of a paint mixing plant.

PREMISES AFFECTED—2540 Atlantic Avenue (displayed) (2542-2544 Atlantic Avenue official) and 47 Williams Avenue, southwest corner, Block 3683, Lot 23, Borough of Brooklyn.

424-58-BZ

APPLICANT—Abraham Farber, for Curb Holding Corporation, owner.

SUBJECT—Application July 15, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business and residence use district, the change in occupancy of an existing one-story building from sash and door storage to auto showroom, auto repairs, storage of more than five (5) cars and gasoline storage (not for public sale), all for a term of fifteen (15) years.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

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425-58-A

APPLICANT—Abraham Farber, for Curb Holding Corp., owner.

SUBJECT—Appeal July 15, 1958 from a decision of the Borough Superintendent, re construction, proximity of Social Club.

PREMISES AFFECTED—2453-2461 Coney Island Avenue, east side, 220 feet, 9 inches north of Avenue V, Block 7343, Lot 57, Borough of Brooklyn.

553-58-BZ

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—decision of the Borough Superintendent, under sections 7c, 7A and 21 of the Zoning Resolution, to permit in a local retail and residence use district, a one story extension to an existing four-story multiple dwelling with basement and cellar and the change in occupancy of the basement floor from apartments to restaurant with storage, office and restrooms in the cellar, the proposed show windows and signs are within 75 feet of a residence use district and the proposed extension exceeds the permitted area.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, Block 1343, Lot 23, Borough of Manhattan.

554-58-A

APPLICANT—Max Wechsler of Wechsler and Schimenti, for Fraydun Construction Co., owner.

SUBJECT—Application filed September 22, 1958—Appeal from a decision of the Borough Superintendent—exit and rear yard.

PREMISES AFFECTED—355 East 50th Street, north side, 85 feet west of 1st Avenue, basement and 1st floor, Block 1343, Lot 23, Borough of Manhattan.

97-50-BZ—Vol. II

APPLICANT—Julius S. Rapson, for Island Carriers Inc., owner.

SUBJECT—Application reopened October 8, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use "D" area district, the erection of loading platform that encroaches on the required rear yard.

PREMISES AFFECTED—150-28 107th Avenue, south side, 203.55 feet west of 154th Street, Block 10130, Lot 20, Jamaica, Borough of Queens.

132-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ken-Isle Inc., owner.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage, office and sales and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—17-39 to 17-61 (17-55 official) Francis Lewis Boulevard, 157-63 to 157-71 18th Avenue, northeast corner, 157-52 to 157-64 17th Road and 17-38 to 17-48 160th Street, Block 4747, Lot 31, Whitestone, Borough of Queens.

Laid over from July 15, 1958, to September 30, 1958, at the request of the applicant; then to October 21, 1958, for inspection and decision; hearing closed; attorney in opposition permitted to file objection within ten days, then to November 12, 1958, for further inspection by members of the Board, and decision; then to December 9, 1958 for further inspection and decision; then to January 6, 1959, for decision at the request of the applicant to acquire additional lot.

199-57-BZ

APPLICANT—Max Siegel Associates, for Abraham Hirschfeld, owner.

SUBJECT—Application reopened November 25, 1958 for

consideration as to extension of time to complete, expired September 18, 1958—decision of the Borough Superintendent, previously granted on condition under section 7h of the Zoning Resolution, permitting in a restricted retail use district, the maintenance of a parking lot for more than five (5) motor vehicles and a frame attendants shanty.

PREMISES AFFECTED—48-54 East 34th Street, south side, 153 feet east of Madison Avenue, Block 863, Lots 53, 54, 55 and 56, Borough of Manhattan.

Laid over from December 16, 1958, to January 6, 1959, as matter is not ready for hearing; applicant to be notified.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

Laid over from September 30, 1958; date to be set; for inspection and decision; hearing closed; then set for December 19, 1958; then to January 6, 1959.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to Section 35, General City Law re Curb Cuts in bed of mapped street—Fingerboard Road.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Borough of Richmond.

9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubritorium, and to extend the uses to include auto body and fender repairs.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

Laid over from December 9, 1958; date to be set; for inspection and decision; hearing closed; then set for December 19, 1958; the premises were inspected by a Committee of the Board; then to January 6, 1959, for consideration after applicant has submitted the Board a proposal for storing motor vehicles on Colfax Street

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

Laid over from September 30, 1958; date to be set; for inspection and decision; hearing closed; then set for Decem-

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ber 19, 1958; the premises were inspected by a Committee of the Board; then to January 6, 1959, for applicant to furnish the Board with full information as to the establishment of the present use.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

Laid over from October 21, 1958; date to be set; hearing closed; then set for December 19, 1958; then to January 6, 1959.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under section 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.

PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Segune Avenue, Block 6699, Lot 1, Princes Bay, Borough of Richmond.

Laid over from November 5, 1958; date to be set for inspection and decision; hearing closed; then set for December 19, 1958; then to January 6, 1959.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

Laid over from December 16, 1958 to December 19, 1958, for inspection and decision; then to January 6, 1959.

HARRIS H. MURDOCK, *Chairman*.

JANUARY 6, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 6, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

33-58-A

APPLICANT—Metropolitan Tobacco Co., Inc., lessee; Anthony Ferrante Building Corp., owner.

SUBJECT—Application January 31, 1958—Appeal from an order of the Fire Commissioner, re storage of matches.

PREMISES AFFECTED—736 Parkside Avenue, south side, 306 feet, 6 inches east of Nostrand Avenue, Block 4828, Lot 22, Borough of Brooklyn.

487-58-A

APPLICANT—New York City Transit Authority, for City of New York, owner. New York City Transit Authority, Lessee.

SUBJECT—Application August 15, 1958—Appeal from an decision of the Fire Commissioner re: installation of six Diesel oil tanks.

PREMISES AFFECTED—66-99 Fresh Pond Road, north side of right-of-way, 150 feet east of Fresh Pond Road, Block 3619, Lot 3, Ridgewood, Borough of Queens.

511-58-A

APPLICANT—Sidney H. Kitzler, for David Diamond, owner; King Furniture Co., lessee.

SUBJECT—Application August 28, 1958—Appeal from a decision of the Borough Superintendent, re stairway, live load, etc.

PREMISES AFFECTED—398-400 Rockaway Avenue, west side, 189 feet, 4½ inches north of Pitkin Avenue, Block 3499, Lot 161, Borough of Brooklyn.

658-58-A

APPLICANT—Gerhard E. Karplus, Research Institute for The Study of Man, owner.

SUBJECT—Application November 18, 1958—Appeal from a decision of the Borough Superintendent, re stair enclosure opening on elevator shaft.

PREMISES AFFECTED—162 East 78th Street, south side, 151 feet, 3 inches east of Lexington Avenue, Block 1412, Lot 47, Borough of Manhattan.

676-58-A

APPLICANT—T. R. Galloway, for Consolidated Edison Co., of New York, Inc., owner.

SUBJECT—Application November 19, 1958—Appeal from a decision of the Borough Superintendent, re storage tanks below ground, etc.

PREMISES AFFECTED—700-746 East 14th Street, 199-215 Avenue D, 701-745 East 13th Street and 214-228 Avenue C, entire block, Block 383, Lots 1, 5, 9, 21, 27, 29, 31 and 35, Borough of Manhattan.

171-46-A—Vol. III

APPLICANT—Larry Meltzer, for Kenneth and Gunhilde R. Carroad, Trustees under Indentures of Trust dated January 10, 1950; Bell Container Corp., lessee.

SUBJECT—Application reopened December 19, 1958 as Vol. III—Appeal from a decision of the Borough Superintendent—construction.

PREMISES AFFECTED—2-41 North 11th Street, north side, 170 feet west of Kent Avenue and 28-66 North 12th Street, Block 2287, Lot 1, Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

JANUARY 13, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 13, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

657-55-BZ—Vol. II

APPLICANT—Gustave Goldman, for Joseph Ventola, owner.

SUBJECT—Application reopened October 28, 1958 as Vol. II—decision of the Borough Superintendent, under 7C and 21 sections of the Zoning Resolution, to permit in a residence use, "D" area district, the erection of a one story extension without the required rear yard and, extend the present uses of restaurant, bar, grill and cabaret and patron's parking no fee being charged.

PREMISES AFFECTED—1012-1022 Ralph Avenue, west side, 45 feet south of Snyder Avenue, Block 4731, Lot 42, Borough of Brooklyn.

483-58-BZ

APPLICANT—Charles A. Buckley, Jr., for Judson Estates, Inc., owner.

SUBJECT—Application August 15, 1958—decision of the Borough Superintendent, under Section 7h, of the Zoning Resolution, to permit local, retail and residence use dis-

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trict, the maintenance of a parking lot for the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—1314-1330 Merriam Avenue, east side, 150 feet, west of 169th Street, Block 2531, Lot 5, Borough of the Bronx.

531-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Louis Loria, owner.

SUBJECT—Application September 9, 1958—decision of the Borough Superintendent, under Section 7h of the Zoning Resolution, to permit in a residence use district, on a plot with an existing two-story dwelling, the use of the unbuilt upon portion of the premises for a parking lot for the parking and storage of more than five (5) motor vehicles for a temporary term of five years.

PREMISES AFFECTED—170-180 McKinley Avenue and 408-414 Autumn Avenue, southwest corner, Block 4170, Lot 21, Borough of Brooklyn.

109-58-BZ

APPLICANT—Robert J. Crinnion, for Jarvis Corp., owner.

SUBJECT—Application March 7, 1958—decision of the Borough Superintendent, under Sections 7e and 7h of the Zoning Resolution, to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing (non-automatic), minor repairs with hand tools only, office, sale and storage of auto accessories and parking of more than five (5) motor vehicles, all for a stated term of fifteen (15) years.

PREMISES AFFECTED—3032 Middleton Road, south side, from Jarvis to Hollywood Avenues, Block 5401, Lot 1, Borough of The Bronx.

523-58-BZ

APPLICANT—Charles M. Spindler, for Robert Maller and Selma Quinton, owners.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, and 7c of the Zoning Resolution, to permit partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, auto washing (non-automatic), office and accessory sales, minor repairs with hand tools only, auto safety inspection station and parking and storage of cars awaiting service all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—117-30 to 117-48 (117-36 official) Farmers Boulevard and 187-22 to 187-34 Baisley Boulevard, southwest corner, Block 12448, Lot 31, Hollis, Borough of Queens.

524-58-A

APPLICANT—Charles M. Spindler, for Robert Maller and Selma Quinton, owners.

SUBJECT—Application September 5, 1958—Appeal from a decision of the Borough Superintendent—re premises in bed of mapped street, proposed widening of Baisley Boulevard.

PREMISES AFFECTED—117-30 to 117-48 (117-36 official) Farmers Boulevard and 187-22 to 187-34 Baisley Boulevard, Block 12448, Lot 31, Hollis, Borough of Queens.

474-58-BZ

APPLICANT—Harry A. Yarish, for 98 Sterling Place Realty Corp., owner.

SUBJECT—Application July 31, 1958—decision of the Borough Superintendent, under Sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, the extension in use of an existing one story building, occupied as a garage for more than five (5) cars, to include auto repair shop and gasoline selling facilities by the installation of twelve tanks and six pumps.

PREMISES AFFECTED—98-114 Sterling Place, south side, 235 feet, 5 inches west of 7th Avenue, Block 945, Lot 21, Borough of Brooklyn.

396-58-BZ

APPLICANT—Gilbert Lazarus, for Melville A. Schroeter, owner.

SUBJECT—Application June 27, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7c and 7a of the Zoning Resolution, to permit in a business use district, a portion of the premises to be used for a motor vehicle repair shop together with parking of more than five (5) motor vehicles, incidental sale of gasoline, oil and motor accessories to customers of cars being repaired, office and storage space, the balance of the premises to be used for three stores, a business entrance located within 75 feet of a residence zone.

PREMISES AFFECTED—1680-1688 Albany Avenue, west side, 48.18 feet south of Marginal Street (Avenue H), and 4016-4018 Marginal Street (Avenue H), Block 7744, Lots 47, 49, and 50, Borough of Brooklyn.

521-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs with hand tools only and parking of cars awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—33-20 Francis Lewis Boulevard, southwest corner of 33rd Avenue, Block 5260, Lot 1, Bay-side, Borough of Queens.

552-58-BZ

APPLICANT—Frederick A. Ketcher and Charles Karsch, for 2574 7th Avenue Corp., owner; Eli Zelikoff and Zion Nelson, lessees.

SUBJECT—Application September 22, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, the continuance of a non-flashing, illuminated sign located above the first floor of the building and is not over the subject store.

PREMISES AFFECTED—200 West 149th Street and 2574 7th Avenue, southwest corner, Block 2034, Lot 36, Borough of Manhattan.

571-58-BZ

APPLICANT—James E. Vassalotti, for David Katz, owner.

SUBJECT—Application October 3, 1958—decision of the Borough Superintendent, under sections 7f, 7i and 7e of the Zoning Resolution, to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs (hand tools only), car washing, storage room, office and sales and parking of cars waiting to be serviced for a temporary term of fifteen (15) years.

PREMISES AFFECTED—138-17 Hillside Avenue and 139-68 to 139-78 Queens Boulevard, northwest corner, Block 9625, Lot 54, Jamaica, Borough of Queens.

135-58-BZ

APPLICANT—Leonard F. Rothkrug, for Ludvik Hilman, Martin Rausman and George Pullman, doing business as Joint Realty Co., owners.

SUBJECT—Application March 18, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, accessory motor vehicle repairs (hand tools only), lubritorium, car washing (non-automatic), office and sales, parking of cars awaiting service, all for a term of fifteen (15) years.

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PREMISES AFFECTED—3880 Richmond Avenue and 4575 Amboy Road, northwest corner, Block 5585, Lot 62, Eltingville, Borough of Richmond.

665-58-A

APPLICANT—Leonard F. Rothkrug, for Ludwig Helman, Martin Rausman and George Pullman, doing business as Joint Realty Co., owner.

SUBJECT—Application November 14, 1958—filed pursuant to section 35, General City Law re curb cuts in bed of mapped street—proposed widening of Richmond Avenue and Amboy Road.

PREMISES AFFECTED—3880 Richmond Avenue and 4575 Amboy Road, northwest corner, Block 5585, Lot 62, Eltingville, Borough of Richmond.

409-58-BZ

APPLICANT—Andrew Di Camillo, for Joseph Coscia, owner.

SUBJECT—Application June 30, 1958—decision of the Borough Superintendent, under sections 7e, 7h, 7i and 21 of the Zoning Resolution, to permit in a retail and residence use, "C" area district the erection of a one story extension to the present building and change uses of auto laundry, auto body repairs and paint shop and parking and storage of more than five motor vehicles to automatic auto laundry, auto repairs and parking and storage of more than five (5) motor vehicles and parking of cars waiting to be serviced, the new extension occupying more than the permitted area.

PREMISES AFFECTED—8822-8824 4th Avenue and 361-383 89th Street, northwest corner, Block 6062, Lots 41, 42, 45 and 48, Borough of Brooklyn.

146-38-BZ—Vol. II

APPLICANT—Larry Meltzer, for Irving Wasserman, owner.

SUBJECT—Application reopened January 28, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business use district the enlargement in area and extension of the uses of the existing gasoline service station by erecting a one-story building at the rear of the premises for use as a motor vehicle repair shop including painting and auto body and fender repairs.

PREMISES AFFECTED—5366-5368 Kings Highway (also known as 818-820 East 53rd Street), west side, 200 feet south of Foster Avenue, Block 7948, Lot 11, Borough of Brooklyn.

185-31-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, for Koster's Bakery Company, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete—decision of the Borough Superintendent previously granted on condition, under sections 7c and 21 of the Zoning Resolution, permitting in a residence and business use, C area district, the extension of a business building (bakery), covering more than the permitted area.

PREMISES AFFECTED—1155-1161 Madison Street, north side, 75 feet east of Central Avenue, Block 3360, Lots 52 and 55, Borough of Brooklyn.

65-47-BZ

APPLICANT—Sanders and Glazer, for Carmen Pisano, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of term of variance, expired July 15, 1957—decision of the Borough Superintendent, previously granted on condition under section 7e of the Zoning Resolution for a term of years, permitting in a local retail use district, the extension of existing building and the change of occupancy from three stores and eight families to funeral chapel and seven families and the erection of a garage at rear for five (5) motor vehicles.

PREMISES AFFECTED—54-56 Tompkins Avenue and 712-720 Park Avenue, southwest corner, Block 1739, Lots 38 and 39, Borough of Brooklyn.

874-52-BZ

APPLICANT—Patrick R. O'Connor, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete—decision of the Borough Superintendent, previously granted on condition, under section 7h of the Zoning Resolution, permitting in a residence use district, the parking and storage of motor vehicles.

PREMISES AFFECTED—1774-1750 Zerega Avenue and 2403-2409 Fuller Avenue, northeast corner, Block 3997, Lot 1, Borough of The Bronx.

797-54-BZ—Vol. II

APPLICANT—Harry A. Yarish, for Anthony Trotta, owner.

SUBJECT—Application reopened December 9, 1958 for consideration as to extension of time to complete, expired March 26, 1958—decision of the Borough Superintendent, previously granted on condition, under section 7f, 7i and 7e of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a gasoline service station, store, washing, greasing, minor auto repairs, with hand tools only, parking and storage of automobiles, dwelling and 2 car garage accessory to dwelling; show windows within 75 feet of residence use district.

PREMISES AFFECTED—690-700 Utica Avenue and 818-828 Clarkson Avenue, southwest corner, Block 4636, Lot 6, Borough of Brooklyn.

729-52-BZ—Vol. II

APPLICANT—Haus and Bresin, for Allerton Three, owner.

SUBJECT—Application reopened June 11, 1957 as Vol. II—re decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station for a temporary term of fifteen (15) years.

PREMISES AFFECTED—25-15 Francis Lewis Boulevard, east side, 36.21 feet south of 25th Avenue, Block 5769, Lot 18, Flushing, Borough of Queens.

Laid over from June 3, 1958, to June 17, 1958, for inspection and decision; hearing closed; applicant to furnish additional photograph, 4 prints as requested by Board; then to July 1, 1958, for further inspection and decision; and at the request of the applicant to permit negotiation with affected property owners and filing of revised plans; then to September 17, 1958, at the request of the applicant to confer with objectors; then to October 15, 1958, at request of the applicant, to file revised plans; then to October 21, 1958, for consideration of revised plans and decision; then to October 28, 1958, for further consideration and for applicant to file an undertaking, signed and sworn to before a notary public, to the effect that in the event the Board permits the gas station as proposed, he will construct a private dwelling on the adjoining lot under his ownership and complete it before the gas station is in operation; then to November 5, 1958, for decision; applicant to furnish affidavit to bind successors and assigns; then to November 18, 1958, applicant to submit an affidavit giving exact metes and bounds of subject property and the proper lot numbers over the signature of the owner; then to January 13, 1959, at request of the applicant; no further notices to be sent out.

918-57-BZ

APPLICANT—Leonard F. Rothkrug, for Peter Baron and New York Lien Corp., owners.

SUBJECT—Application December 17, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in an E-1 area district, the erection of a six-story building with cellar and sub-cellar for use as a multiple dwelling.

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PREMISES AFFECTED—1227-1233 Pelham Parkway and 2201-2225 Throop Avenue, northwest corner, Block 4372, Lots 1, 25, 26 and 28, Borough of The Bronx.

Laid over from December 9, 1958, to January 13, 1959, for inspection and decision; hearing closed.

432-58-BZ

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory motor vehicle repairs with hand tools only, lubricatorium and car washing—non automatic, and business signs all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

Laid over from December 9, 1958, to January 13, 1959 for inspection and decision; hearing closed.

433-58-A

APPLICANT—Leonard F. Rothkrug, for Harold Pearlman and Isidore Davis, owners.

SUBJECT—Application July 17, 1958—filed pursuant to section 35, General City law re premises partly in bed of mapped street—proposed widening of 84th Road.

PREMISES AFFECTED—84-16 Parsons Boulevard, northwest corner of 84th Road, Block 9751, Lot 7, Jamaica, Borough of Queens.

711-56-BZ

APPLICANT—Paul Friedman, for Felnor Realty Corp., owner.

SUBJECT—Application October 19, 1956—re decision of the Borough Superintendent, under Sections 7e, 7h and 7i of the Zoning Resolution, to permit in a local retail use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting to be serviced and a post standard ground sign for a stated term of fifteen (15) years.

PREMISES AFFECTED—101-02 to 101-10 (101-06 official) Astoria Boulevard, 101-01 to 101-09 31st Avenue and 28-01 to 28-13 101st Street, southwest corner of Astoria Boulevard, Block 1688, Lot 30, East Elmhurst, Borough of Queens.

Laid over from March 5, 1957, to April 9, 1957, for applicant to file lay-out plan and inspection and decision; hearing closed; then placed on the reserve calendar pending erection of church on adjacent property; now set for hearing on October 1, 1957; then to October 8, 1957 for further inspection and decision; then to November 6, 1957, for further inspection and decision; then to December 10, 1957, at request of the applicant, to file revised plans; then to June 10, 1958, for further consideration by Board; inspected by committee of the Board, which is of the opinion that the application should be laid over further in order to give the church proposed to be erected on the adjoining plot more time to determine whether they can proceed with the development for church or school; then to October 7, 1958, for report from objecting property owner; then to December 9, 1958, for applicant to report to the Board as to adjacent property proposed for church and school which are in objection; then to January 13, 1959, for further consideration as to the progress of construction of the church building on the plot adjacent.

902-52-BZ—Vol. III

APPLICANT—Charles M. Spindler, for Estate of Sadie V. Sisto; John R. Owens, Executor; owner.

SUBJECT—Application reopened July 23, 1957 as Vol. III—decision of the Borough Superintendent under sections 7c and 7e of the Zoning Resolution, to permit in a retail

use district the erection and maintenance of a gasoline service station together with a motor safety inspection station, minor repairs with hand tools only and the parking within the retail use zone of cars awaiting service.

PREMISES AFFECTED—164-15 to 164-25 (164-25 official) Union Turnpike and 78-28 to 78-36 165th Street, northwest corner, Block 6972, Lot 21, Flushing, Borough of Queens.

Laid over from March 25, 1958 to April 15, 1958, for inspection and decision; hearing closed; then to May 6, 1958, at request of applicant who is trying to acquire adjoining property to enlarge the plot; then to June 3, 1958, at request of the applicant, to acquire additional property for possible conforming use; then to June 17, 1958, at the request of the applicant to attempt to acquire additional property to enlarge the plot; then to September 17, 1958, at the request of the applicant; then to November 12, 1958, for decision; applicant to be notified; then to December 9, 1958 at request of the applicant, in view of possibility of property being sold for a conforming use; then to January 13, 1959, as request of applicant to consider possibility of conforming use.

289-58-BZ

APPLICANT—Leo Kornbluth, for Allwyn Contracting Co., Inc., owner.

SUBJECT—Application May 9, 1958—decision of the Borough Superintendent, under Sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubricatorium, minor repairs with hand tools only, non-automatic auto laundry, office, storage and sales of auto accessories, parking of more than five (5) motor vehicles waiting for service for a stated term of (15) years.

PREMISES AFFECTED—398-410 Kings Highway, southwest corner of Kings Place, Block 6678, Lots 73, 75 and 77, Borough of Brooklyn.

Laid over from September 30, 1958, to October 15, 1958, for inspection and decision; hearing closed; then to December 16, 1958, at request of applicant to investigate possible conforming use, which might result in withdrawal of this application; premises have been inspected; then to January 13, 1959, at the request of the applicant.

458-16-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for West 9th Street Realty Corporation, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, the change in use of the present three buildings from garage and stables to offices, storage, shipping and crating of non-combustibles, manufacture of wood crates for packing on premises, loading and unloading, gasoline storage tank for owners use, two table saws and parking and storage of motor vehicles on the unbuilt upon portion of the plot and a sign on front of building.

PREMISES AFFECTED—17-35 West 9th Street, north side, 163.6 feet east of Columbia Street, Block 534, Lots 35, 36, and 37, Borough of Brooklyn.

Laid over from December 2, 1958, to December 9, 1958, for applicant to obtain revised additional objection as to woodworking machinery from the Building Department; hearing closed; then to December 16, 1958, for inspection and decision; then to January 13, 1959, to permit the applicant to report to the Board what he proposes to do to make conditions safe; hearing closed; the premises were inspected by a Committee of the Board, which reported that the one-story building in three sections retains the gasoline equipment and storage of trucks used in the storage business, has a cross cut and rip bench saws and piles of lumber for crates with no mechanical means for removal of sawdust and cuttings, stores large quantities of imported peat moss and carnauba wax and crated material, creating a dangerous condition; the open area proposed for parking is now unused.

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300-58-BZ

APPLICANT—Charles M. Spindler, for Reo Properties, Inc., owner; Socony Mobil Oil Co., Inc., lessee.

SUBJECT—Application May 15, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station with accessory uses of lubritorium, auto washing—non automatic, office, sale of accessories, minor repairs with hand tools only, safety inspection station and the parking and storage of motor vehicles with business sign and show windows within 75 feet of a residence use district all for a temporary term of fifteen (15) years.

PREMISES AFFECTED—7214-7224 20th Avenue and 1773-1783 73rd Street, northwest corner, Block 6195, Lots 43 and 48, Borough of Brooklyn.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed; then to January 13, 1958, at request of applicant to file revised plans and for decision; the premises were inspected by a committee of the Board.

578-58-BZ

APPLICANT—Murray Stockman, for Violet Camack and Gertrude Greenblatt, owners.

SUBJECT—Application October 7, 1958—decision of the Borough Superintendent, under sections 7e, 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, non automatic auto laundry and minor auto repairs with hand tools only for adjustment with incidental parking of motor vehicles awaiting repairs or service for a term of fifteen (15) years.

PREMISES AFFECTED—1085 Morris Park Avenue, northwest corner of Haight Avenue, Block 4130, Lots 33, 34 and 35, Borough of The Bronx.

Laid over from December 9, 1958, to December 16, 1958, for inspection and decision; hearing closed; then to January 13, 1959, for owner to report as to possibility of selling the premises for a conforming use, now under negotiation.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.

PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 ft. south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

Laid over from December 16, 1958, to December 19, 1958 for inspection and decision, hearing closed; then to January 13, 1959, for decision; no appearance; applicant to be notified.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 13, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 13, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

894-54-SM

APPLICANT—Inland Steel Products Company (Milcor Steel Co.), owner.

SUBJECT—Application November 12, 1954—Milcor Steel Roof Deck, approval of.

123-56-SA

APPLICANT—Hunt Heater Corporation, owner.

SUBJECT—Application February 1, 1956—Hunt Novent Gas-fired Heating Unit (for window or wall installation) Models W-20, W-355 and W-455, approval of.

169-57-SM

APPLICANT—Masonite Corporation, owner.

SUBJECT—Application February 19, 1957—Masonite Shadovvent Siding (10 inch and 12 inch widths), approval of.

170-57-SM

APPLICANT—Masonite Corporation, owner.

SUBJECT—Application February 19, 1957—Masonite Panelgroove and Ridgegroove Siding, approval of.

171-57-SM

APPLICANT—Masonite Corporation, owner.

SUBJECT—Application February 19, 1957—Masonite Ridgeline Siding, approval of.

449-57-SM

APPLICANT—The Lincoln Electric Company, owner.

SUBJECT—Application May 22, 1957—Lincolnweld Submerged Arc Welding, Process (including machines, welding, electrodes and flux), approval of.

563-57-SM

APPLICANT—The Vonnegut Hardware Company, owner.

SUBJECT—Application July 25, 1957—Type NC Von Duprin Panic Exit Device, approval of.

651-57-SM

APPLICANT—Rolscreen Company, owner.

SUBJECT—Application August 5, 1957—Pella Wood Folding Door, approval of.

263-58-SA

APPLICANT—Philips Electronics, Inc., owner.

SUBJECT—Application April 18, 1958—Novelco Gas Liquefier, Model 42149, approval of.

302-58-SM

APPLICANT—Interboro Incinerator Company, owner.

SUBJECT—Application May 15, 1958—Interboro Cast Iron Incinerator Hopper Door, Model HD-1, approval of.

324-58-SM

APPLICANT—Sheffield Division Armco Steel Corporation, owner.

SUBJECT—Application May 22, 1958—Sheffield High Strength Bolts, approval of.

454-58-SA

APPLICANT—Chattanooga Royal Company, owner.

SUBJECT—Application July 24, 1958—Royal DV-20 and DV-30, approval of.

459-58-SA

APPLICANT—Ribelle Perotto for The Barber Manufacturing Company, owner.

SUBJECT—Application July 29, 1958—Turbo-Heat Power Gas Conversion Burner, Models PBS-185 and PBS-210, approval of.

460-58-SA

APPLICANT—Ribelle Perotto for The Barber Manufacturing Company, owner.

SUBJECT—Application July 29, 1958—Gun-Heat Gas Conversion Burner, Models IN-5-A, IN-9-A and IN-15-A, approval of.

469-58-SM

APPLICANT—Hudson Cement Corp., Division of Colonial Sand & Stone, owner.

SUBJECT—Application July 31, 1958—Hudson Cement Corporation Portland Cement, Types I and II, approval of.

674-47-SM—Vol. II

APPLICANT—The Rawlplug Company, Inc., owner.

SUBJECT—Application reopened January 14, 1958 Rawl Drives and Rawl Plugs—re Rawl-Drives, Masonry fastener; previously dismissed.

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725-49-SA

APPLICANT—Steward-Warner Corporation, U.S. Machine Division, owner.

SUBJECT—Application October 14, 1949—Saf-Air Gas-fired Wall Heater, Models 8201, 8202 and 8203, approval of.

272-55-SA

APPLICANT—H. C. Little Burner Company, Inc., owner.

SUBJECT—Application March 28, 1955—Safti-Vent Gas-fired Wall Heaters, Models GW-16, GW-22, GW-30, GWT-16, GWT-22, GWT-30, GWR-8 and GWT-8, approval of.

226-58-SA

APPLICANT—Siemon Manufacturing Company, owner.

SUBJECT—Application April 14, 1958—Power-Combimatic Gas-Oil Burners, FGO-400BE, FGO-700BE, FGO-1000BE, FGO-2200BE, FGO-3000BE, FGO-3500BE, approval of.

305-58-A

APPLICANT—Samuel Carr, for Willa Realty Co., owner.

SUBJECT—Application May 13, 1958—Appeal from a decision of the Borough Superintendent, re egress.

PREMISES AFFECTED—35 West 21st Street, north side, 372 feet east of Avenue of The Americas, Block 823, Lot 19, Borough of Manhattan.

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.

SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.

PREMISES AFFECTED—708-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

586-58-A

APPLICANT—Abraham Grossman, for Seymour Nathan, owner.

SUBJECT—Application October 10, 1958—Appeal from a decision of the Borough Superintendent, re egress, fire escape, etc.

PREMISES AFFECTED—101-103 Wooster Street, west side, 125 feet north of Spring Street, Block 501, Lot 28, Borough of Manhattan.

7-58-A

APPLICANT—Loral Electronics Corp., lessee, for Herbco Realty Corp., owner.

SUBJECT—Application January 3, 1958—Appeal from a decision of the Fire Commissioner—re permit for smoking—factory.

PREMISES AFFECTED—825 Bronx River Avenue, northeast side, 300 feet east of Story Avenue, Block 3621, Lot 10, Borough of The Bronx.

286-58-A

APPLICANT—Clinton Brown, for Newton Associates, Inc., owner; World Dyeing and Finishing Co., lessee.

SUBJECT—Application April 30, Appeal from Orders of the Fire Commissioner, a decision re Orders of the Fire Commissioner and a decision of the Borough Superintendent, re location of Oil Burner, and removal of oil storage tank.

PREMISES AFFECTED—345 West 13th Street, and 670-676 Hudson Street, northeast corner, 6th floor, Block 629, Lot 4, Borough of Manhattan.

330-58-A

APPLICANT—Jack Fein, for Otto Van Glahn, owner.

SUBJECT—Application May 23, 1958—Appeal from a decision of the Borough Superintendent, re exit stairs.

PREMISES AFFECTED—1325-27 Broadway, north side, 83 feet, 11 inches, east of Grove Street, Block 3321, Lot 59, Borough of Brooklyn.

528-58-A

APPLICANT—Lama, Proskauer and Prober, for Anna Turso, owner.

SUBJECT—Application August 3, 1958—Appeal from a decision of the Borough Superintendent—re frame structure for commercial use within fire limits.

PREMISES AFFECTED—1889-1893 Fulton Street, north side, 103 feet, 2¼ inches east of McDougal Street, Block 1530, Lot 19, Borough of Brooklyn.

378-58-A

APPLICANT—Noah N. Sherman, for Karo Film Corp., owner; Bonded Film Storage Co., Inc., lessee.

SUBJECT—Application June 17, 1958—Appeal from a decision of the Borough Superintendent, re: sprinklers.

PREMISES AFFECTED—42-53 21st Street, east side, 59.87 feet north of 43rd Avenue, Block 427, Lot 24, Long Island City, Borough of Queens.

461-58-A

APPLICANT—Jacob Berman, for John Zengal, owner, Rego Forest Service Station Inc., Lessee.

SUBJECT—Application July 29, 1958—filed pursuant to section 35 General City Law re premises partly in mapped street, Nansen Street.

PREMISES AFFECTED—69-01 Woodhaven Boulevard, northeast corner, Block 3178, Lot 67, Forest Hills, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 20, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 20, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matters:*

535-58-BZ

APPLICANT—John F. Fitzsimons, for Tony and Jennie Andruk, owners.

SUBJECT—Application September 10, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station, lubricatorium, auto laundry (non-automatic), minor auto repairs with hand tools only and parking of cars waiting to be serviced, the proposed work to provide a new accessory building, install additional gasoline tanks and relocate the pump islands and curb cuts.

PREMISES AFFECTED—23-25 31st Street, east side, 75 feet north of 23rd Road, Block 835, Lot 27, Astoria, Borough of Queens.

186-53-BZ—Vol. II

APPLICANT—Lama, Proskauer and Prober for Jacob Stein, owner.

SUBJECT—Application reopened July 29, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution to permit in a local retail and residence use district, the erection and maintenance of a gasoline service station, lubricatorium, minor auto repairs, storage, office and sales and the parking of cars waiting to be serviced for a stated term of fifteen (15) years.

PREMISES AFFECTED—216-06 Hillside Avenue and 88-10 to 88-13 216th Street, southeast corner, Block 10676, Lot 17, Hollis, Borough of Queens.

249-58-BZ

APPLICANT—Fred C. Dahlem, for Rubin Gordon, owner.

SUBJECT—Application April 18, 1958—decision of the Borough Superintendent, under sections 7c and 7h of the Zoning Resolution to permit in a local retail and residence

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use district, the erection of a one story and cellar structure for use as stores and market and to use the unbuilt upon portion of the site as a parking lot for patron parking and neighborhood car owners.

PREMISES AFFECTED—1260 Gunhill Road, south side, 26.85 feet west of Bouck Avenue, Block 4619, Lots 1, 3, 21 and 28, Borough of The Bronx.

414-58-BZ

APPLICANT—Ingram S. Carner, for Eleanor A. Fisher, owner.

SUBJECT—Application July 8, 1958—decision of the Borough Superintendent, under sections 7e, 7f, 7i and 7a of the Zoning Resolution, to permit in the retail portion of a plot partly in a retail and partly in a residence use district, the erection and maintenance of a gasoline service station, office, sale of auto accessories, car washing (non-automatic) auto repairs with hand tools only, lubritorium, parking and storage of more than five (5) motor vehicles waiting to be serviced with curb cuts and show windows within 75 feet of a residence use district for a stated term of fifteen (15) years.

PREMISES AFFECTED—107-52 to 107-60 (107-56 official) New York Boulevard and 162-11 to 162-21 108th Avenue, northwest corner, Block 10140, Lot 26, South Jamaica, Borough of Queens.

538-58-BZ

APPLICANT—Herman E. Horwood, for Ado Cristantante, owner.

SUBJECT—Application September 17, 1958—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business and residence use district the reconstruction of an existing gasoline service station by removing the existing dwelling and changing the use of the five (5) car garage to motor vehicle repair shop with hand tools only, touch up spraying and welding and wheel alignment and to extend the existing parking of cars into the residence portion of the premises.

PREMISES AFFECTED—628-630 Crescent Avenue, south side, 128 feet west of Belmont Avenue, 2321-2327 Belmont Avenue, Block 3087, Lots 11-19, Borough of the Bronx.

306-58-BZ

APPLICANT—Henry Nordheim, for Frandel Realty Corp., owner.

SUBJECT—Application May 16, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a retail use district, manufacturing on a floor area in excess of that permitted.

PREMISES AFFECTED—2315-2333 Westchester Avenue and 1401 Parker Street, northwest corner, Block 3969, Lot 1, Borough of The Bronx.

501-58-BZ

APPLICANT—Charles M. Spindler, for Clara Flapan, owner.

SUBJECT—Application August 25th 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a local retail use district the erection and maintenance of a gasoline service station, lubritorium, auto washing (non-automatic), office, sale of accessories, minor repairs with hand tools only, auto safety inspection station and the parking and storage of motor vehicles for a stated term of fifteen (15) years.

PREMISES AFFECTED—3743-3761 Nostrand Avenue, east side 140 feet north of Avenue Y, Block 7422, Lot 54, Borough of Brooklyn.

54-36-BZ—Vol. II

APPLICANT—Samuel Miller for Esso Standard Oil Co., owner.

SUBJECT—Application reopened September 30, 1958 as Vol. II—decision of the Borough Superintendent, under

sections 7c and 7i of the Zoning Resolution, to permit in a business and residence use district, the reconstruction and rehabilitation of an existing gasoline service station, lubritorium and auto laundry and to extend the uses to include minor auto repairs with hand tools only and the parking of cars awaiting service, the proposed reconstruction to provide a new accessory building, additional gasoline tanks and the relocation of the gasoline pumps and curb cuts.

PREMISES AFFECTED—525 Gravesend Neck Road (517-531 displayed), northwest corner of Ocean Parkway, Block 7157, Lot 16, Borough of Brooklyn.

570-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Ruth Gould, Shirley Firsler, Sylvia Rosenberg, Rebecca Rosenberg, Abraham Rosenberg and Marion Freedman, owners.

SUBJECT—Application October 3, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district the erection and maintenance of a gasoline service station, lubritorium, minor auto repairs, car wash, storage room, office and sales and the parking and storage of motor vehicles.

PREMISES AFFECTED—5601-5611 Avenue U and 2063-2083 East 56th Street, northeast corner, Block 8399, Lot 6, Borough of Brooklyn.

482-58-BZ

APPLICANT—Otto J. and Warren A. Sambach, for Anthony J. Amato, owner.

SUBJECT—Application August 12, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection of a one story building for use as a warehouse and office with the open area in front used for the parking of employees cars, the proposed structure does not provide a rear yard and exceeds the permitted area coverage.

PREMISES AFFECTED—156-08 107th Avenue, south side, 50 feet west of 157th Street, Block 10135, Lot 27, South Jamaica, Borough of Queens.

491-58-BZ

APPLICANT—Ervin Palmer, for Daniel A. Brener, owner. Edward R. Lewis, Lessee.

SUBJECT—Application August 21st, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail use district, in an existing three story and cellar structure, the change in occupancy of the second floor from private club to office use.

PREMISES AFFECTED—22 Greenwich Avenue, east side, 31 feet, 5 inches north of West 10th Street, Block 606, Lot 6, Borough of Manhattan.

544-58-BZ

APPLICANT—Julian Roth, of Emery Roth and Sons, for 80 Pine, Inc., owner.

SUBJECT—Application September 19, 1958—decision of the Borough Superintendent, under section 19A of the Zoning Resolution, to permit in an unrestricted use, A area district, the erection of a thirty-eight (38) story office building with less than the required number of off-street loading berths.

PREMISES AFFECTED—Block bounded by 78-80 Pine Street, north side, 134-152 Water Street 172-194 Pearl Street and 110-134 Maiden Lane, Block 39, Lots 12 to 24 and 26, Borough of Manhattan.

456-58-BZ

APPLICANT—Fred C. Dahlem, for Florence Christiano, Joseph Christiano, Jr., Emily Muccardi, owners.

SUBJECT—Application July 25, 1958—decision of the Borough Superintendent, under sections 7f, 7e, and 7i of the Zoning Resolution, to permit in a business use dis-

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strict the erection and maintenance of a gasoline service station, lubritorium, office, sale of accessories, car wash, minor repairs with hand tools only, parking and storage of more than five (5) motor vehicles and the sale of used cars for a stated term of fifteen (15) years.
PREMISES AFFECTED—2800-2806 Boston Road, north east corner of Radcliff Avenue, Block 4516, Lots 856-863 inclusive, Borough of The Bronx.

540-27-BZ—Vol. II

APPLICANT—Samuel Miller, for Esso Standard Oil Company, owner.

SUBJECT—Application reopened September 23, 1958 as Vol. II—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a business and unrestricted use district, the extension in area and the reconstruction of an existing gasoline service station, lubrication, non-automatic car wash, office and sales-room and to extend the uses to include motor vehicle repairs and parking of cars awaiting service, the proposed reconstruction to provide a new accessory building, additional gasoline tanks and the relocation of the gasoline pumps and curb cuts.

PREMISES AFFECTED—450 Flushing Avenue and 725-727 Bedford Avenue, southeast corner, Block 1715, Lot 31, Borough of Brooklyn.

240-57-BZ—Vol. II

APPLICATION—Aaron Halpern for Fun Fair Park, Inc., owner, Kapprach Enterprises, Inc., lessee.

SUBJECT—Application reopened April 29, 1958 as Vol. II—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit the additional use of a batting range to the previously granted parking of motor vehicles on premises partly in a residence use district.

PREMISES AFFECTED—28-21 to 28-51 Linden Place (28-31 Linden Place official) and 28-20 to 28-80 Whitestone Parkway, northeast corner and 28-02 to 28-12 137th Street, Block 4336, 4337, 4339, Lots 35, 40, 62, 70, 46, and 65, Borough of Queens.

659-50-BZ—Vol. IV

APPLICANT—Henry J. Nurick, for Jericho Sash and Door Co., owner.

SUBJECT—Application reopened October 7, 1958 as Vol. IV—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business use district, the erection of a new one story building at the rear of the premises to be used in conjunction with the two existing buildings on the lot for the storage of finished woodwork such as doors, trim and sash which is delivered by railroad.

PREMISES AFFECTED—251-61 Jamaica Avenue, north side, 200.88 feet west of Little Neck Parkway, Block 8668, Lot 118, Bellerose, Borough of Queens.

373-58-BZ

APPLICANT—Peter H. Brandt, for GHG Building Corporation, owner.

SUBJECT—Application June 11, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a residence use district in an existing six story and cellar multiple dwelling, the change in use of a three room, ground floor apartment from doctor's office to an artist's studio and to change the use of the Boy's Room, a room for building personnel, to a Dance School.

PREMISES AFFECTED—3701 Henry Hudson Parkway, northeast corner of Blackstone Avenue, Block 3417, Lot 246, Borough of The Bronx.

240-28-BZ—Vol. II

APPLICANT—George H. Colin for Cities Service Oil Company, owner.

SUBJECT—Application reopened June 3, 1958—as Vol. II—decision of the Borough Superintendent, under sections 7c, 7i, and 21 of the Zoning Resolution, to permit in a retail and residence use district, the reconstruction of an existing gasoline service station by erecting a new accessory building for use as lubritorium, car washing, minor auto repairs, accessory sales and the parking and storage of more than five (5) motor vehicles, the proposed reconstruction to provide additional tanks and to relocate pumps and curb cuts.

PREMISES AFFECTED—35-01 Beach Channel Drive, south side, and west of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

Laid over from December 16, 1958, to January 20, 1959, for inspection and decision for continuation of hearing to consider the Administrative Appeal.

705-58-A

APPLICANT—George H. Colin, for Cities Service Oil Co., owner.

SUBJECT—Application December 4, 1958—filed pursuant to section 35, General City Law re mapped street-proposed widening of Rockaway Beach Boulevard not to be used in connection with Gasoline Station.

PREMISES AFFECTED—35-01 Beach Channel Drive (Amstel Boulevard), southwest corner of Beach 35th Street, Block 312, Lot 7, Edgemere, Borough of Queens.

352-45-BZ—Vol. II

APPLICANT—Anthony M. Salvati, for Nathan Ossip, owner; Patrick Brini, lessee.

SUBJECT—Application reopened April 15, 1958 as Vol. II—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a business use district, the reconstruction of an existing gasoline service station with accessory uses of lubritorium, auto repairs, car washing, inspection station and parking of cars and to increase the number of gasoline tanks and the rearrangement of pump islands.

PREMISES AFFECTED—81-22 Rockaway Boulevard, southwest corner of 82nd Street and 81-09 to 81-17 95th Avenue, Block 9010, Lot 26, Woodhaven, Borough of Queens.

Laid over from November 5, 1958, date to be set, for applicant to file revised plans as to accessory building and for inspection and decision; hearing closed; set for January 20, 1959.

30-58-BZ

APPLICANT—Meyer Kraushaar, for Cohen-Kraushaar Realty Corp., owner.

SUBJECT—Application January 30, 1958—decision of the Borough Superintendent, under sections 7f and 7i of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, office, sales and storage of auto accessories, car washing (non-automatic), lubritorium, minor repairs with hand tools only and parking of more than five (5) cars waiting to be serviced, for a stated term of fifteen (15) years.

PREMISES AFFECTED—184-11 to 184-19 Horace Harding Expressway and 184-12 North Hempstead Turnpike, northwest corner, Block 7067, Lot 50, Fresh Meadows, Borough of Queens.

Laid over from September 17, 1958; date to be set; Applicant to furnish Board with plans and photographs; then set for January 20, 1959. hearing closed;

635-57-BZ

APPLICANT—H. M. Cole, for 115 East 69th Street, Inc., owner.

SUBJECT—Application September 17, 1957—decision of the Borough Superintendent under section 7e of the Zoning Resolution, to permit in a residence use district, the use of the first floor as a legation for the Republic of Sudan

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to the United Nations and the second floor as an office for the Pharmaceutical Information Bureau.

PREMISES AFFECTED—115 East 69th Street, north side, 185 feet east of Park Avenue, Block 1404, Lot 8, Borough of Manhattan.

Laid over from December 16, 1958, and continuation of hearing to January 20, 1959; applicant to obtain new decision of the Borough Superintendent, submit revised plans and notices to be sent by regular mail of a new date of hearing.

280-58-BZ

APPLICANT—James E. Vassalotti, for L. L. F. Realty Co., Inc., owner.

SUBJECT—Application May 5, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection of two (2) one-story buildings to be used as public market and stores with loading and unloading and the parking of patrons cars—no fee to be charged.

PREMISES AFFECTED—1555-1581 Rockaway Parkway, east side, 379 feet south of Flatlands Avenue and 1162-1174 East 98th Street, Block 8205, Lot 11, Borough of Brooklyn.

Laid over from December 9, 1958, to January 20, 1959, for inspection and decision; hearing closed.

359-58-BZ

APPLICANT—Paul Friedman, for Rine Realty Corp., Popover Realty Corp., Inc., owners; General Outdoor Advertising Co., lessee.

SUBJECT—Application June 4, 1958—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, non-automatic car wash, office and sale of auto accessories, minor repairs with hand tools only, parking and storage of cars—pleasure type only, for a stated term of fifteen (15) years.

Laid over from December 9, 1958, to January 20, 1959, for applicant to file revised plans eliminating the curb cut to Seeley Street; hearing closed.

200-24-BZ—Vol. III

APPLICANT—Leonard F. Rothkrug, Herbst and Rusciano, for Jerome Estates, Inc., owner.

SUBJECT—Application reopened January 14, 1958 as Vol. III—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a business and residence use district, the change in use from public garage, previously granted by the Board, to the storage and manufacturing of metal products.

PREMISES AFFECTED—3030 Jerome Avenue, east side, 161.8 feet south of East 204th Street and 3103 Villa Avenue, Block 3321, Lot 25, Borough of The Bronx.

Postponed from December 16, 1958, and hearing continued to January 20, 1959, for statement by applicant as to proposed tenant.

371-58-BZ

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Application June 12, 1958—decision of the Borough Superintendent, under section 7e of the Zoning Resolution, to permit in a local retail and residence use district, in an existing three-story and cellar structure, an extension on the 1st floor and the use as a plumbing warehouse and office.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet, 3½ inches west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

Laid over from November 25, 1958, to December 16, 1958, for inspection and decision; hearing closed; then to January 20, 1959, for applicant to file revised plans showing proposed extension complies with the requirements as to the exits and floor loads; hearing closed.

372-58-A

APPLICANT—Joseph Mitchell, for 32 Norfolk Street, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent, re construction.

PREMISES AFFECTED—245-247 Madison Street, north side, 95 feet 3½ inches, west of Clinton Street, Block 270, Lot 41, Borough of Manhattan.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.

PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 64, Borough of The Bronx.

Laid over from December 16, 1958, to December 19, 1958 for inspection and decision; hearing closed; then to January 20, 1959, at the request of an objector.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 20, 1959, 2 P.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday afternoon, January 20, 1959, at 2 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

374-58-A

APPLICANT—Simon B. Zelnik, for J. E. Lobert, owner.

SUBJECT—Application June 20, 1958—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—148 West 57th Street, south side, 225 feet east of 7th Avenue, Block 1009, Lot 55, Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 27, 1959, 10 A.M.

NOTICE IS HEREBY GIVEN of a public hearing *Tuesday morning, January 27, 1959, at 10 o'clock at 80 Lafayette Street, 9th floor, New York 13, N. Y., on the following matter:*

19-57-BZ

APPLICANT—Reginald S. Hardy, for Frances P. Headley and Seena Prastien, owners.

SUBJECT—Application January 15, 1957—decision of the Borough Superintendent, under sections 7f, 7i and 7A of the Zoning Resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry (non-automatic), motor vehicle repair shop, for minor repairs (hand tools only), and with show windows within 75 feet of residence use district.

PREMISES AFFECTED—1790-1820 Utica Avenue and 4914-4924 Avenue J, southwest corner, Block 7797, Lots 47, 49, 50 and 51, Borough of Brooklyn.

Laid over from July 16, 1957, to July 23, 1957, for inspection and decision; hearing closed; then to December 17, 1957, for further consideration by the Board after community building has been developed; then to May 20, 1958, for report at that time as to the condition in connection with the proposed community house in Block 7775 opposite the

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proposed gasoline station; and for determination by the Board as to procedure thereafter; then to June 17, 1958, for inspection and decision; hearing closed; also for applicant to advise the Board the status of the construction of proposed Community House; then to July 8, 1958, at request of the applicant to permit him to examine plans filed for the nearby Community House and to report to the Board what such plans call for and the status of proposed structure and for decision; then to September 23, 1958, for applicant to

report to the Board as to his examination of plan and the status of the proposed structure under the building now planned to be located in similar location; then to October 28, 1958, for information as to status of Community Center opposite and as to ownership; then to November 25, 1958, at the request of the applicant to furnish the Board with information as to the proposed community center; then to January 27, 1959, for further consideration and decision.

HARRIS H. MURDOCK, *Chairman*.

MINUTES

SPECIAL MEETING

FRIDAY MORNING, DECEMBER 19, 1958, 10 A.M.

Present: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, December 9, 1958, were approved as printed in the Bulletin of December 16, 1958, Vol. 43, No. 50.

302-41-BZ—Vol. III

APPLICANT—Joshua Brown, for Staten Island Oil Company, Inc., owner; Texaco Oil Company, lessee.

SUBJECT—Application reopened January 28, 1958 as Vol. III—decision of the Borough Superintendent, under sections 7c and 7i of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station, the erection of a one-story extension to the existing structure for use as a motor vehicle repair shop with hand tools only.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. III on January 28, 1958 subject to regular procedure, to consider extension of use; and

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date to be set; hearing closed; then set for December 19, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Victory Boulevard are in a retail use, D area, class 1 height district; Willowbrook Road and Stewart Avenue are in retail and residence use, D area, class 1 height districts; Auburn Avenue is in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated December 10, 1957 acting on Alt. Applic. No. 422-57, reads:

"1. Proposed extension to an existing gasoline service station and lubritorium including office and supply storage room, lubricating and service room, auto laundry approved by the B.S.A. under Cal. #302-41-BZ, to further include minor auto repairs with hand tools only, located in a Retail Use District is contrary to Art. II, Sect. 4A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 106.77 feet frontage by 93.54 feet and 56.13 feet

in depth, on which is located a gasoline service station; that it is proposed to erect an additional building 14.5 feet by 30 feet in depth, one story, 14 feet in height, of class 3 construction, to be used as a lubritorium; that the portion of additional land to be used shall consist of 20 feet front on Victory Boulevard and 100 feet in depth and to be enclosed by a fence of the same dimensions; and

WHEREAS, the applicant contends that since 1946, when the original service station was constructed, 400 families have moved into this part of the Island, many of them employees of the Willowbrook State Hospital, bringing in about the same number of additional cars into the neighborhood, creating traffic congestion and the business of car servicing has trebled as to what was anticipated in 1955; that this extension will help in the servicing of cars and keep them off the street; that it will also help transients, as this is a hospital area and the streets are widely used during the day, especially on week-ends, when traffic is exceedingly heavy; and

WHEREAS, the applicant states that the present owner has held title to the property since 1940 and 1955; that the assessed valuation of land is \$3,700 and of the building \$7,500 marking a total of \$11,200; that the building was erected in June, 1946; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 10, 1941, under Vols. 1 and 2 and as thereafter amended by resolutions adopted through May 1, 1945, by adding thereto:

"that in the event the owner desires to extend the accessory building by the addition of the extension to the rear as indicated on plans filed with this application marked, 'Received December 19, 1957,' 5 sheets, 'June 13, 1958,' 1 sheet, such extension may be permitted for use as a lubritorium *on condition* that there shall be no cellar erected under such addition; that the design of the addition shall comply with the general design of the main accessory building and to relocate the pumps, as shown, so that instead of one-pump island there may be two; a two-pump island with two pumps and with one such island within the bed of the proposed taking for the widening of Victory Boulevard; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and as amended this day under Calendar No. 383-58-A; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

383-58-A

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner; Texaco Oil Co., lessee.

SUBJECT—Application June 13, 1958—filed pursuant to Section 35, General City Law re proposed curb cuts in bed of mapped street-proposed widening of Victory Boulevard.

PREMISES AFFECTED—2505 Victory Boulevard, northeast corner of Willowbrook Road, Block 486, Lot 8, Willowbrook, Borough of Richmond.

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APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 12, 1958, on Alt. Applic. #422/57, reads:

"2. The proposed curb cuts located in the bed of mapped streets are contrary to Art. 3, Sect. 35 of the General City Law."

and

WHEREAS, the applicant states that the premises consists of a lot 105.77 feet front by 93.54 and 56.13 feet in depth, located in a retail use, D area, class 1 height district, upon which there exists a 1 story, 14 feet high, class 3 constructed building, 41.17 feet front by 27.06 feet in depth, used and occupied since 1941 as a gasoline service station and non-automatic automobile laundry; that it is now proposed to increase the lot to 113.54 and 76.13 feet in depth and increase the building to 41.56 feet in depth and to occupy the premises upon completion of the alteration as a gasoline service station, lubricatorium, minor auto repairs, non-automatic car washing, office, service room and parking of more than 5 motor vehicles awaiting service, as described under application for a zoning variance filed under Calendar Number 302-41-BZ, Volume III; and

WHEREAS, the applicant states that there will be no construction within the bed of the mapped street widening and no claim will be made for damages in the event of the acquisition of the land necessary for such widening; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 442/57, Objection No. 2 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the portion of the premises now being used as a gasoline service station located within the bed of the mapped street, *on condition* that such space proposed for street widening shall be paved, with existing curb cuts and used as an apron for entrance and exit to and from the gasoline station and also to permit the location and use of a pump island with 2 pumps within such mapped area as shown and indicated on plans filed with Calendar No. 302-41-BZ, Vol. III; that in all other respects the premises shall comply with the requirements of the resolution as amended this day under such calendar number; and that in the event the premises are acquired by the City of New York for the widening of Victory Boulevard no claim shall be made except for the land itself and the compensation for such property as taken, shall be as determined by the Court.

146-45-BZ—Vol. II

APPLICANT—Joshua Brown for John Swedberg, owner.

SUBJECT—Application reopened June 3, 1958 as Vol. II—decision of the Borough Superintendent, under Section 7e of the Zoning Resolution, to permit in a business use district the installation of gasoline selling facilities for marine use in conjunction with the existing boat yard and pier.

PREMISES AFFECTED—112 Mansion Avenue, southeast corner of McKee Avenue, Block 5202, Lot 10, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, this application was reopened as Vol. II on June 3, 1958 subject to regular procedure, to consider extension of facilities; and

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date to be set; hearing closed; then set for December 19, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Mansion Avenue are in a business use, D area, class 1½ height district; McKee Avenue and Great Kills Road are in a residence use, D area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated May 9, 1958 acting on Alt. Applic. No. 158-58, reads:

"2. Proposed marine gasoline selling station located in a business use district is contrary to Art. II Sect. 4 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 516.09 feet and 510 feet in depth; that it is proposed to install three 1,500 gallon marine gasoline storage tanks and dispensing pump for the sale of marine gasoline, accessory to the conduct of the existing business of boat pier now conducted on these premises pursuant to approval of Department of Marine and Aviation under 1158-B approved May 23, 1956 and 1263-B approved October 24, 1957; and

WHEREAS, the applicant contends that the sale of gasoline is a necessary adjunct to the boat and maintenance business conducted on the premises; that no gasoline will be sold to passing motor vehicles; that the proposed gasoline installation will be in harmony with the general purpose and intent of the Zoning Resolution and will in no way have any deleterious effect on the neighborhood; and

WHEREAS, the applicant states that the present owner has held title to the property since March, 1956; that the assessed valuation of land is \$8,000 and of the building \$12,000 making a total of \$20,000; that the building was erected in 1956-57; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7e for a term of ten years to permit the premises to be occupied as proposed as a gasoline service station limited to servicing of boats at the pier float substantially as proposed and as indicated on plans filed with this application marked "Received May 14, 1958," 2 sheets, "August 26, 1958," 1 sheet, and "December 11, 1958," 3 sheets, *on condition* that the sale of gasoline shall be limited solely to the boats at the pier float; that the gasoline storage tanks shall be located where shown and consisting of three 1,500 gallon storage tanks as permitted by the Code for marine use; that the installation shall be maintained at the end of the dock to the satisfaction of the Fire Commissioner; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

MINUTES

718-57-BZ

APPLICANT—D. George Levine, for Vine Building Corp., owner.

SUBJECT—Application October 4, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a retail use district, the erection and maintenance thereon of a gasoline service station, lubritorium, non-automatic auto laundry, sale of automobile accessories, motor vehicle repair shop for minor repairs with hand tools only and parking of motor vehicles awaiting service for a term of fifteen (15) years.

PREMISES AFFECTED—6113-6123 Avenue U and 2074-2084 Mill Avenue, northwest corner, Block 8404, part of Lot 2, Borough of Brooklyn.

APPEARANCES—

For Applicant: George Levine.

For Oppositor: Lewis Ginsberg.

ACTION OF BOARD—Application denied.

THE VOTE

Affirmative: 0

Negative: Chairman Murdock, Commissioner Kleincrt, Commissioner Foley and Commissioner Sleeper 4

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on March 11, 1958 after due notice by publication in the Bulletin; and laid over to March 25, 1958 at 10 A.M. for inspection and decision; hearing closed; and

WHEREAS, at a public hearing held on March 25, 1958 the application was withdrawn without prejudice at the suggestion of the Board, until houses in vicinity are sold; and

WHEREAS, a public hearing was held on this application on November 12, 1958 and application was reopened and restored to the docket; previously withdrawn; and

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Avenue U are in a retail use, D area, class ½ height district; East 60th Street and Mill Avenue are in retail and residence use, D and D-1 area, class ½ height districts; and

WHEREAS, the use district has undergone several changes; that the property was originally undetermined as to use; that on July 1, 1924 it was placed in a residence use district and continued as such until December 12, 1930 when the designation was changed to business use and then on the 22nd day of July, 1954 the property was placed in a retail district; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a Zoning variance under Section 7, Subdivisions e and h of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 1592-57, Objection No. one be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

878-57-BZ

APPLICANT—Dominick Salvati and Son, for Beach Land Amusement Co., owner.

SUBJECT—Application December 9, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story extension to the existing one-story structure used as an amusement center.

PREMISES AFFECTED—11 Quincy Avenue, northwest corner of Sand Lane, Block 3405, Lot 30, South Beach, Borough of Richmond.

APPEARANCES—

For Applicant: Anthony M. Salvati.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleincrt, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; hearing continued to October 21, 1958, applicant to file corrected plans and record of permits in the Building Department; then to October 28, 1958, for inspection and decision; applicant to file corrected plans; hearing closed; then to December 19, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in retail and residence use, D and E area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 12, 1957 acting on Alt. Applic., 341-57, reads:

"1. The proposed alteration intending to add a new building to be used as an amusement center for the playing of games and other devices, in retail and residence use district, is contrary to Article II Sec. 3, Sec. 4-A and Sec. 6 of the Zoning Resolution.

2. The proposed alteration is contrary to Article IV Sec. 12 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 281.07 feet frontage by 78.95 feet in depth, developed and used as an amusement center; that it is proposed to construct a one story extension, of class three construction, to the present building, and extend the use of the amusement center; that the proposed extension will have a frontage of 74 feet 4 inches on Quincy Avenue and a depth of approximately 86 feet; and

WHEREAS, the applicant states that the owner originally owned property at Seaside Boulevard at the waterfront; that this property was operated as an amusement center which consisted of a ferris wheel and whip, four stands and numerous games of skill; that the modernization program of the entire waterfront made it necessary for the City of New York to condemn all existing structures in the area, thereby eliminating the amusement center; that the owner owned some additional property at Quincy Avenue and Sand Lane, which is now before the Board for consideration; that he applied and received a permit for an amusement center on this property; and

WHEREAS, the applicant contends that the existing amusement center is now much reduced in size and therefore does not enable the same number of people to earn their livelihood; that he is now in possession of approximately \$18,000 worth of idle equipment and is therefore very desirous of putting it into operation; that the enlargement of the existing building will make it possible for him to extend his operation to again include the members of his family, now forced into other fields of endeavor, and to put to use his idle equipment; and

WHEREAS, the applicant states that the present owner has held title to the property since March, 1954; that the assessed valuation of land is \$1,900 and of the building \$13,100 making a total of \$15,000; that the building was erected in 1954; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use dis-

MINUTES

strict regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit an additional building to the lawfully existing amusement center, and to alter the premises substantially as proposed and as indicated on plans filed with this application marked "Received December 9, 1957," one sheet, and "October 24, 1958," 4 sheets, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

927-57-BZ

APPLICANT—Melvin E. Kessler, for Brith Realty Co., owner; John Antolotti, lessee.

SUBJECT—Application December 18, 1957—decision of the Borough Superintendent, under Section 7a of the Zoning Resolution, to permit in a residence use district, the extension of the existing restaurant to enlarge the kitchen area.

PREMISES AFFECTED—337-339 East 49th Street, north side, 225 feet west of First Avenue, Block 1342, Lot 16, Borough of Manhattan.

APPEARANCES—

For Applicant: Melvin E. Kessler.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; laid over to December 19, 1958, for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area, class 1½ height district; East 49th Street and East 50th Street are in retail, residence and local retail use, B area, class 1½ height districts; Second Avenue is in a retail use, B area, class 1½ height district; First Avenue is in a local retail use, B area, class 1½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated November 27, 1957 acting on Alt. Applic. No. 1328-57, reads:

"A1. Objection repeated. "The enlargement of existing business use (Restaurant) on the 1st story, by adding thereto the area of a 2-room apt. at rear of said restaurant, is prohibited in a Residence district by Section 6(a) of the Zoning Resolution and is contrary to Section 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 39 feet 2 inches frontage by 100 feet 5 inches in depth; and

WHEREAS, the applicant states that the owners have invested their life's savings into a business that they have personally developed and seen grow during the past four and one-half years, into one of the finest Italian-American restaurants in the City of New York; that it has been established that the area now being occupied by the Antolotti Restaurant has never changed in size since the building was erected; and

WHEREAS, the applicant contends that because of a zoning violation, the owners are now facing the prospect of having to lose all of their money and goodwill because of the possible loss of their kitchen; that their famous kitchen occupies the very area now in question; that the area involved is very small, but vital to the proper operation of the restaurant; and

WHEREAS, the applicant states that the present owners have held title to the property since January 18, 1944; that the assessed valuation of land is \$51,000 and of the building \$9,000 making a total of \$60,000; that the building was erected in 1907; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision a of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7a to permit the extension of the restaurant use to include the portion on the rear apartment as shown for a new kitchen as proposed and indicated on plans filed with this application marked, "Received December 18, 1957," 2 sheets, and "November 6, 1958," 2 sheets, *on condition* that the premises shall not be further extended; that in all other respects the premises relating to the restaurant and the addition herein permitted shall comply with all laws, rules and regulations applicable; and that all permits shall be obtained and all work completed and a Certificate of Occupancy obtained within the requirements of Section 22A of the Zoning Resolution.

1002-57-BZ

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail use district, the extension of an existing two-story and cellar building to extend the manufacture of toys to the second floor, previously used for the manufacture of women's wear.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative 0

Absent: Vice Chairman Keating..... 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Nostrand Avenue are in a retail use, B area, class 1 height district; Kosciusko Street is in retail and manufacturing use, B area, class 1 height districts; Lafayette Avenue is in residence and retail use, B area, class 1 height districts; and

WHEREAS, the decision of the Borough Superintendent, dated December 18, 1957 acting on Alt. Applic. No. 1029-57, reads:

"1. In a retail use district the proposed increase in the size of the building and its use for manufacturing is contrary to Art. II Sec. 4A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 40 feet and 100 feet frontage by 100 feet in depth, irregular, on which is located a two story building 23 feet in height, of class 3 construction, erected prior to 1888 and altered from time to time, 40 feet frontage on Nostrand Avenue, 92 feet 6 inches frontage on Kosciusko Street

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by 54 feet in depth, on both floors, used as a factory for the manufacturing of toys; that it is proposed to extend the building with a two story extension, 7 feet 6 inches by 60 feet in depth, irregular in area, to be used for the manufacturing of toys; and

WHEREAS, the applicant states that the building was erected prior to 1888 and was considered by the Board under Cal. No. 259-47A when the premises was in a business use district; that Certificate of Occupancy No. 120664 was issued June 16, 1948 for factory occupancy on both floors after alteration in compliance with the Resolution of the Board adopted May 13, 1947; that since the manufacturing use was established prior to the change of zone, it constitutes a legal non-conforming use; that the natural business development requires additional working area as proposed herein; that the extension is small in area; that the premises are occupied by the owner on both floors; that a grant of the variance will not adversely affect any adjoining property owners; that this is one of the oldest areas in the City and was completely developed prior to the change from business to retail; that the proposed extension would have been permitted if the owner had erected it prior to the change of zone; and

WHEREAS, the applicant contends that no new tenant or new manufacturing use will be brought upon the premises or in the neighborhood; that a major portion of the small extension will be used for storage of the manufactured toys; that the storage use is a conforming use; that it is not proposed to increase the number of employees; that there will be no openings along the westerly side lot line; and

WHEREAS, the applicant further contends that there is no economic demand for alteration of this building for retail use as existing retail facilities within the neighborhood more than adequately provide for the needs of the community; that the owner, who purchased these premises when it was in a business zone and established its toy factory use when the premises was in a business zone, urgently requires additional space to maintain its business; and

WHEREAS, the applicant states that the present owner has held title to the property since October 26, 1944; that the assessed valuation of land is \$10,000 and of the building \$14,000 making a total of \$24,000; that the building was erected in 1888; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted under certain conditions; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c, to permit the extension of the building, as proposed and as indicated on plans filed with this application, marked "Received December 24, 1957", 5 sheets, "June 6, 1958", 1 sheet and "November 7, 1958", 1 sheet, *on condition* that the building shall not be further increased in height or area and in all other respects shall comply with all laws, rules and regulations applicable thereto for the use as now proposed; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

1003-57-A

APPLICANT—Leonard F. Rothkrug, for Airmo Realty Corp., owner.

SUBJECT—Application December 24, 1957—Appeal from a decision of the Borough Superintendent, re non-fireproof construction—increase in area—exits, etc.

PREMISES AFFECTED—276 Nostrand Avenue, southwest corner of Kosciusko Street, Block 1783, Lot 49, Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated December 18, 1957, acting on Alt. App. 1029/57, reads

"2. The increase of the area of the building on the two floors and the size of the existing sub-standard exits is contrary to Sec. 270 of the Labor Law. Note: The exits of the existing bldg. were the subject of a conditional variance under Cal. No. 259-47-A."

and

WHEREAS, the applicant states that the building is 2 stories, 23 feet in height, 92 feet 6 inches by 54 feet irregular in area, of class 3 construction, erected prior to 1888, located in a retail use, B area, class 1½ height district, used and occupied as follows: cellar—boiler room and storage, no persons; 1st floor—manufacturing of toys, 10 persons; 2nd floor—manufacturing of toys, 29 persons; that it is proposed to increase the size of the building on both 1st and 2nd floors to 100 feet by 60 feet irregular; and

WHEREAS, the applicant states that the proposed 2nd floor exits will consist of two 3 foot 3 inch wide stairs, leading directly to the streets and a Labor Law type fire escape with a gooseneck ladder to roof and a counterbalance stair to the sidewalk; that the existing south west steel stair is now enclosed in 1 hour partitions and fireproof self-closing doors; that both stairs will lead to the roof by a vertical ladder and scuttle; that the first floor exits will remain as previously accepted by the Board and the Building Department; that the entire building will be occupied by one tenant; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, acting on Alt. App. 1029/57, Objection No. 2, and that the appeal be and it hereby is *granted, on condition* that the building shall be as permitted by the Board under Cal. No. 1002-57-BZ and that the exits as shown shall be free and unimpeded from the floors to the street and any equipment therein for moving material shall be removed from the stairway and eliminated or placed elsewhere with the approval of the Department of Buildings; and that in all other respects the resolution as adopted by the Board under Cal. No. 1002-57-BZ shall be complied with.

127-58-BZ

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc., owner.

SUBJECT—Application March 13, 1958—decision of the Borough Superintendent, under Section 7c of the Zoning Resolution, to permit in a retail and residence use district, the installation of an amusement center consisting of children's rides to be used in conjunction with the existing one story restaurant with accessory parking.

PREMISES AFFECTED—1300 Hylan Boulevard, northeast corner of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: John J. Tricarico.

For Opposition: None.

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ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on October 7, 1958 after due notice by publication in the Bulletin; hearing postponed to November 12, 1958, at the request of the applicant to revise his plans; then laid over for inspection and decision; date to be set; applicant to file revised plan of existing conditions; hearing closed; then to December 19, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in retail and residence use, D and E area, class 1 height districts; that as of July 25, 1916 the property bounded by Southside Boulevard (Hylan Boulevard) as then mapped, Oregon Avenue, Quintard Street, a line 100 feet south of Oregon Avenue, as then mapped, the bisector of the angle formed by the intersection of Oregon Avenue and Quintard Street, a line midway between Hurlbert Place and Southside Boulevard, the bisector of the angle formed by the intersection of Southside Boulevard and Underwood Street, as then mapped, a line 100 feet east of Southside Boulevard and Underwood Street, was zoned as a business district and the remainder, if any, was zoned as a residence district; that on January 15, 1937 the residence district was expanded to include all the property more than 100 feet from Hylan Boulevard; that on October 15, 1952 the present retail designation for the portion of the property within 200 feet of Hylan Boulevard became effective; that as of July 25, 1916 the property was zoned as a D area district and on August 2, 1943 the portion of the property more than 100 feet from Hylan Boulevard was changed to an E area district; that on October 15, 1952 the D area district was expanded to include the portion of the property within 200 feet of Hylan Boulevard; that the height designation has not been changed since July 25, 1916 and no zoning amendment relating to this property is pending at the present time; and

WHEREAS, the decision of the Borough Superintendent, dated February 20, 1958 acting on Alt. Applic. No. 546-54, reads:

"1. The proposed erection of kiddie rides located partly in a residence and partly in a retail use district is contrary to Article II Section 3 and 4-A of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 405.78 feet frontage by 674 feet in depth, irregular; and

WHEREAS, the applicant states that the history and facts pertinent to this petition are both lengthy and complicated; that at the present time there is a one story restaurant and parking area which was approved and erected under N.B. Applic. No. 336-52; that said restaurant was enlarged under Alt. Applic. No. 449-54 to its present size and facilities; that this application, still open for approval for additional changes obtained under subsequent amendments, are still under construction; that on December 3, 1954 an application was filed under B.N. Applic. No. 389-54 to install kiddie rides on the premises; that upon examination of this application the Department rules that a B.N. application was not the proper form to file for this purpose and requested that an Altered Building form be filed and therefore, on December 29, 1954, Alt. Applic. No. 546-54 was filed replacing the building notice application, and approval was granted on January 7, 1955 for a restaurant, parking area and kiddie rides; that permit for this alteration was issued on January 7, 1955 and work was started on this project; that there was a subsequent amendment filed on March 21, 1956 for relocation of the kiddie rides, which was approved March 22, 1956; and

WHEREAS, the applicant further states that the owner proceeded with the construction, purchasing and installation of kiddie rides, totally unaware that on January 13, 1955 there was a revision under Section 4-A Retail Districts, Par. b, subd. 9 of the Zone Resolution, now prohibiting the kiddie ride occupancy which was approved and granted on January 7, 1955; that in the interim, the Building Department checked location of the now installed kiddie rides, found that they didn't quite agree with the locations indicated on approved plans and amendments and therefore placed a violation on the premises and a stop-order prohibiting any further work unless a new permit be obtained; that application for this new permit was refused; that this situation constituted many complications; that the owner obtained legal advice and an action was instituted in the Supreme Court, Richmond County, to review the actions of the Department in revoking the permit, and the opinion of the Court was that the Department had acted "in an arbitrary, capricious manner and without authority, had failed to correct the error in applications when submitted, and the facts were not presented in proper manner to Acting Commissioner Crinnion for his consideration", and as a result, influenced the Commissioner to revoke the permit for this project; and

WHEREAS, the applicant contends that the origin for this project goes back many years; that in 1948 the owner decided to seek a suitable site in order to establish a business venture in which all his children could be gainfully employed; that among many others, the present site was selected, considered ideally located, ample in area and complying with all Zoning requirements for their proposed project; that this plot was purchased in August, 1952; that the first stage of the master plan was to erect the restaurant with parking area and this building was erected under N.B. 336-52; that the kiddie ride portion was applied for under B.N. 389-54 and superseded by Alt. 546-54, with the results explained in preceding paragraphs; that in view of these facts as outlined and of the extenuating circumstances, financial hardships and obligations, the owner is now burdened with contract commitments; that this request does not involve the erection of any permanent building, and it is requested that this application be considered favorably by the Board; and

WHEREAS, the applicant states that the present owner has held title to the property since August, 1952; that the assessed valuation of land is \$10,000 and of the building \$16,000 making a total of \$26,000; that the building was erected in 1952; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition under section 7 subdivision c; and

WHEREAS, the revised plans submitted shows all equipment and parking solely in the retail use district; and

WHEREAS, the only basis for a variance is as to the extension of the type of equipment in a retail use district; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the installation and use of additional children's rides and other equipment, and parking, substantially as proposed and as indicated on plans filed with this application marked "Received March 13, 1958", 3 sheets, as amended by revised plans marked "Received November 25, 1958", one sheet, *on condition* that such additional equipment shall be restricted to the premises zoned as a retail district for a distance of 200 feet easterly from Hylan Boulevard and shall be suitably protected with woven wire fence of the chain link type on a masonry base not less than five feet six inches in height; that the parking area may be where permitted, as shown, on such revised plans, that the entrance

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to the portion of the parking lot toward Old Town Road shall be entered only from Old Town Road; that suitable signs shall be maintained advertising such parking use for patrons of the restaurant and rides and not for the general parking; that an agreement as to the easement as to use of the portion of the corner lot shall be filed with the Department of Buildings; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified this day under Cal. No. 395-58-A; and that all permits shall be obtained and all work completed within the requirement of Section 22A of the Zoning Resolution, and a new certificate of occupancy obtained covering all uses.

395-58-A

APPLICANT—John J. Tricarico, for Cosmo's Drive-In, Inc.

SUBJECT—Application June 20, 1958—filed pursuant to section 35 General City Law re Relocation of rides 1, 3, 5, 7, 9, 11 and 13 in the bed of a mapped street—Quintard Street.

PREMISES AFFECTED—1300 Hylan Boulevard, east side, 181.76 feet north of Old Town Road, Block 3224, Lot 14, Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: John J. Tricarico.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated June 11, 1958 on Alt. Applic. 546/54 reads:

"1. The proposed erection of kiddie rides located partly in a residence and partly in a retail use contrary to Article II Section 3 and 4-A of the Zoning Resolution.

2. Relocation of rides #1, 3, 5, 7, 9, 11 and 13, in the bed of a mapped city street (Quintard Street), is contrary to General City Law #35."

and

WHEREAS, the applicant states that the premises consists of a lot 405.78 feet front by 674 feet irregular in area, located in a residence use and local retail use, D and E area, class 1 height district, and used and occupied since 1952 as a restaurant and parking area and proposed to be used as a restaurant, parking area and kiddie's rides, as fully described in application for zoning variance filed under Calendar Number 127-58-BZ; and

WHEREAS, the applicant states that there will be no permanent structures erected within the mapped street; that if the City does acquire the land necessary for Quintard Street, rides will be no problem to remove; that the owner has been paying taxes for the entire plot and is receiving no financial benefits; that since these rides will be only surface condition, easily removed, it is requested that this application be granted; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 546-54, Objection No. 1 and 2 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the location of equipment as permitted under Cal. No. 127-58-BZ, within the bed of a mapped street, Quintard Street, *on condition* that in the event a portion of the premises for such street is acquired by the City for street purposes the compensation for the

land so taken shall be as determined by the court and no claim shall be made for the equipment herein permitted as located on such portion.

158-58-BZ

APPLICANT—Joshua Brown, for Staten Island Oil Co., Inc., owner.

SUBJECT—Application March 25, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, the reconstruction of a present gasoline service station and to continue the present uses of the gasoline service station including office, lubritorium, storage and sale of accessories, car washing (non-automatic), minor repairs with hand tools only, parking of more than five (5) motor vehicles awaiting service.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southwest corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 30, 1958 after due notice by publication in the Bulletin; laid over for inspection and decision; date to be set in November; hearing closed; then to December 19, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site Richmond Avenue, Victory Boulevard, Jones Street and Clifton Street are in a retail use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated March 4, 1958 acting on N.B. Applic. No. 79-58, reads:

"1. The proposed new building for gasoline service station, lubritorium, minor auto repair, auto laundry, office & service room located in a Retail, D District is contrary to Art. II Par. 4 & 4a (29) & (46) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot on the west side of Richmond Avenue between Victory Boulevard and Clifton Avenue and having a frontage of 128.58 feet on Richmond Avenue, 133.51 feet along Clifton Avenue and 136.16 feet along Victory Boulevard; that the dimensions as stated refer to the new street line of Richmond Avenue when widened to a width of 100 feet, as shown on the City map; that the site is presently developed with a gasoline service station, a 2½ story frame building with service station, a 2½ story frame building with a one story concrete block extension, a two story frame building and a frame shed and three gasoline pumps on a concrete island supported on a concrete mat; that it is proposed to demolish the existing buildings and shed, remove the three gasoline pumps and reconstruct the present gasoline service station; that the service building will be one story in height, with a frontage of 80 feet, and 33 feet in depth, class 3 construction and modern design and will provide for an office, store room, boiler room, toilets and two-bay lubritorium, minor auto repairs and a two-bay car wash area; that the present uses of gas station, lubritorium, sale of auto accessories, minor auto repairs with hand tools, non-automatic car wash and parking of more than five motor vehicles awaiting service, will be continued; that it is further proposed to install a total of ten 550 gallon buried gasoline tanks and six dispensing pumps, on two islands; that it is also proposed to

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erect a colonial type fence, 4 feet in height, on a concrete base, one foot six inches in height, making a total of five feet six inches; that this fence will be erected along the west lot line for its full length and along the south lot line for a distance of 50 feet; that there will be a planted area five feet wide protected by a concrete curb six inches high and eight inches wide; that the open area will be paved with a suitable pavement; and

WHEREAS, the applicant states that the records of the Department of Buildings are incomplete for this property; that the record shows that in 1925 the premises were used for a garage and repair shop and later as a gasoline service station; that the Department of Buildings did not issue Certificates of Occupancy in Staten Island during this period; and

WHEREAS, the applicant contends that the widening of Richmond Avenue as shown on the City maps places the existing three gasoline pumps and the concrete mat supporting it, entirely within the mapped street; that the obsolete buildings and equipment that adds to the inefficiency of operation and the encroachment on the mapped street as noted, make it necessary to reconstruct this station; that the owner feels that as long as he is undertaking the expense of reconstruction and removal of the structure from the mapped street, he will modernize the station, which will tend to uplift the area; and

WHEREAS, the applicant states that the present owner has held title to the property since June 3, 1955; that the assessed valuation of land is \$15,500 and of the building \$9,500 making a total of \$25,000; that the building was erected October 29, 1925; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommends that the application should be granted to permit rearrangement and construction of a new accessory building; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the rearrangement of the lawfully existing gasoline service station substantially as proposed and indicated on plans filed with this application marked, "Received March 25, 1958," 6 sheets, "April 2, 1958," 1 sheet, *on condition* that the accessory building shall be of the design, arrangement and location as indicated on such revised plans, without cellar; that the existing pumps on Richmond Avenue shall be removed and relocated, where shown, within the widening line; that until such widening is accomplished the curb cuts may continue and the space to be acquired by the City for the widening shall be paved and used as an apron for entrance and exit to the gasoline station, without any building thereon; that a new sidewalk and curbing shall be constructed as proposed, along Victory Boulevard; that all buildings and occupancy shall comply with all laws, rules and regulations other than as permitted this day under Calendar No. 347-58-A; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

347-58-A

APPLICANT—Joshua Brown for Staten Island Oil Comp., Inc., owner.

SUBJECT—Application May 28, 1958. Filed pursuant to Section 35, General City Law, re proposed new building in bed of proposed widening of Richmond Ave.

PREMISES AFFECTED—3102 Victory Boulevard and 1700 Richmond Avenue, southeast corner, Block 2159, Lot 1, Bulls Head, Borough of Richmond.

APPEARANCES—

For Applicant: Joshua Brown.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1
THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated May 19, 1958, on N.B. Applic. 79/58, reads:

"1. The proposed new building is located contrary to Art. 3, Par. 35 of the General City Law."

and

WHEREAS, the applicant states that the premises consist of a lot 136.16 feet front by 128.58 feet in depth, upon which there exists a 2½ story, 26 feet high, class 6 constructed building, 24.07 feet front by 50.10 feet in depth, used and occupied as gasoline service station; that it is proposed to demolish all of the buildings on the lot and to erect a 1 story, class 3 constructed building, 11 feet and 16 feet high, 80 feet front by 35 feet in depth, of class 3 construction, and to occupy the premises as a gasoline service station, lubritorium, minor auto repairs, non-automatic car washing, office, service room and parking area for more than 5 motor vehicles, as described in application for zoning variance filed under Calendar Number 158-58-BZ; and

WHEREAS, the applicant contends that there will be no construction within the bed of the mapped street widening, except the installation of new curbs and curb cuts; that no claims will be made against the City for damages in the event of the acquisition of land necessary for such street widening; and

WHEREAS, the premises were inspected by a committee of the Board, which recommended that the appeal be granted under certain conditions.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. 79-58, Objection No. 1 be and it hereby is *modified* under the powers vested in the Board by Section 35 of the General City Law, and that the appeal be and it hereby is *granted*, to permit the use of the portion of the premises within the proposed street widening area as indicated on plans filed with this appeal marked, "Received May 28, 1958," 2 sheets, "June 24, 1958," 4 sheets, *on condition* that the requirements of the resolution as adopted this day under Calendar No. 158-58-BZ, shall be complied with; that in the event a portion of the premises is acquired by the City of New York for street widening the payment therefore shall be in accordance with the determination of the Court; that during the use of this portion of the premises there shall be no building or equipment erected thereon; and that such portion shall be paved and used as an apron for entrance and exit from the gasoline service station.

243-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Abraham H. Spilky, owner.

SUBJECT—Application April 21, 1958—decision of the Borough Superintendent, under sections 7f, 7e, 7i, and 7A of the Zoning Resolution, to permit in a retail use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars waiting to be serviced, with signs and show windows within 75 feet of a residence use district, for a stated term of fifteen (15) years.

PREMISES AFFECTED—870 Bay Street and 2-10 Townsend Avenue, southwest corner, Block 2840, Lot 85, St. George, Borough of Richmond.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on September 17, 1958 after due notice by publication in the Bulletin; laid over date to be set for hearing and decision; hearing closed; then to December 19, 1958; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Bay Avenue are in a retail use, D area, class 1½ height district; Townsend Avenue is in retail and residence use, D and E area, class 1½ height districts; Greenfield Avenue is in a business use, D area, class 1½ height district; that as of July 25, 1916 the premises were in an unrestricted use district and a class B area district; that on June 14, 1935 the premises were changed to a business use district and a class D area district; that the present retail use classification became effective June 28, 1950; and

WHEREAS, the decision of the Borough Superintendent, dated April 18, 1958 acting on N.B. Applic. No. 99-58, reads:

"1. The proposed construction of this new building with uses: Gasoline service station, lubritorium, car washing, minor auto repairs, storage, office and sales, parking of cars waiting to be serviced, sign and show windows within 75 feet of a residence use district, all in a retail use district, is contrary to Article II Section 4 sub-sections 29 and 46, and Section 4A and Section 7A of the Zoning Resolutions of the City of New York."

and

WHEREAS, the applicant states that the premises consist of a plot, 100 feet frontage by 100 feet in depth, presently vacant; that it is proposed to obtain a variance, for a temporary period of fifteen years, and to erect a modern gasoline service station consisting of ten 550 gallon gasoline tanks and four dispensing pumps; that the contemplated accessory building will be one story in height, of class 3 construction, having a frontage of 45 feet, a depth of 30 feet and will contain the conjunctive uses of lubritorium, car washing, minor auto repairs, storage, office and sales; that a portion of the open area, not used by the gas station, will be reserved for parking of cars awaiting service; that the size of the show window within 75 feet of the residence use district cannot possibly affect the residential aspect of Townsend Avenue as the building is not 40 feet back of the Townsend Avenue building line; and

WHEREAS, the applicant states that the east side of Bay Street is zoned unrestricted and is now developed with a noisy railroad, which tends to reduce the value of this property; that the residential area is sparsely developed, which still further reduces the value of this property for a conforming use; that directly across from the site in Block 2839, on Lot 115 there is now a non-conforming use of a garage, which makes the proposed use within keeping at this point; that the building as proposed will be modern in design; that adjoining lots 79 and 93 are under the same ownership, so that the erection of this gasoline service station cannot possibly affect any of the adjoining properties in this area; that the land is high in assessed value so that it is mandatory for the owner to develop this land as proposed in order to receive an equitable return on his investment; that this land has been in the same ownership since 1926; and

WHEREAS, the applicant contends that the upgrading of this site in 1935 from unrestricted to business and from business to retail in 1950 has further restricted the use of this site for a conforming use because this is a sparsely developed, low rental area; and

WHEREAS, the applicant states that the present owner has held title to the property since December 26, 1957 and that the assessed valuation of land is \$8,000; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted on condition; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision f of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7f for a term of fifteen years to permit the premises to be occupied as a gasoline service station and uses lawfully accessory thereto substantially as proposed and as indicated on plans filed with this application marked "Received April 21, 1958," 3 sheets, on condition that all buildings and uses now on the premises shall be removed and the premises shall be leveled substantially to the grade of Bay Street and shall be constructed and arranged and designed as indicated on plans above cited; that pumps shall be of a low approved type erected not nearer than fifteen feet to the street building line of Bay Street; that gasoline storage tanks shall not exceed ten 550 gallon approved tanks; that curb cuts shall be restricted to two curb cuts each 30 feet in width to Bay Street and one within the first 25 feet from the intersection to Townsend Avenue; that on all lot lines there shall be, except on the frontage to Bay Street where shown, a woven wire fence of the chain link type not less than five feet six inches in height including a masonry base and with suitable terminating posts; that sidewalks and curbing abutting the premises shall be reconstructed or repaired to the satisfaction of the Borough President; that the plot where not built upon shall be paved with concrete or asphaltic pavement; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that the accessory building shall comply with the requirements of the Building Code in all respect and shall have no cellar and shall be faced with face brick on all sides; that any windows or curb cuts deemed not consistent with the requirements of Section 7A may be permitted provided the requirements of this resolution are complied with; that under Section 7i there may be minor repairing with hand tools only for adjustments maintained solely within the accessory building; that under Section 7e, for a similar term, there may be parking and storage of motor vehicles provided such motor vehicles are parked or stored in such portions of the premises as will not interfere with the servicing of the station; that signs shall be restricted to permanent signs attached to the facade of the accessory building facing Bay Street and to the illuminated globes of the pumps excluding all roof signs and all temporary signs and advertising devices but permitting the erection within the intersection of one post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; that at such intersection there shall be a block of concrete extending for a distance of not less than five feet along either street building line from the intersection, and not less than twelve inches in height; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

257-53-BZ

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corporation, owner.

SUBJECT—Application April 23, 1958—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the maintenance of a parking lot for overflow parking of patrons cars attending the nightclub located across the street for a temporary term of ten (10) years.

MINUTES

PREMISES AFFECTED—4101-4123 Avenue V, 2236-2238 and 2246-2284 Hendrickson Street, northwest corner, 2231-2245 and 2251-2283 Coleman Street, Block 8558, Lots 1, 18, 22, 24 and 57, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; laid over to December 19, 1958 for inspection and decision, hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Avenue V are in a residence use, D-1 area, class ½ height district; Hendrickson Street and Coleman Street are in retail and residence use, D and D-1 area, class ½ height districts; Avenue U is in a retail use, D-1 area, class ½ height district; that as of July 25, 1916 the premises were in an undetermined use district, class one height district and class D area district; that the present use designation became effective July 19, 1940 and the present height and area designations became effective August 25, 1955; and

WHEREAS, the decision of the Borough Superintendent, dated April 10, 1958 acting on Alt. Applic. No. 1042-58, reads:

"1. Proposed 'Parking of Patrons Cars' on a lot located in a Residence Use district is contrary to Art. II Sect. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 200 feet frontage by 340 feet and 40 feet in depth, irregular, presently vacant; that it is proposed to use the premises for overflow parking of patrons' cars—fee to be paid—in conjunction with the Town and Country Club Restaurant across Hendrickson Street in Block 8559, Lot 1, for a temporary period of ten years; and

WHEREAS, the applicant contends that the Town & Country Club Restaurant that will use the proposed parking lot has a total seating capacity of over 1500 people who cannot be properly accommodated on the present parking lot adjoining the restaurant; that the proposed parking lot will help to alleviate this condition and will also keep customers' cars off the street; that the affected area is for the most part undeveloped, so that the use of this land for a temporary period cannot possibly affect any of the adjoining property owners; that there is a non-conforming use of storage of materials in the same block on lot 55; and

WHEREAS, the applicant states that the present owner has held title to the property since November 4, 1957 and that the assessed valuation of land is \$32,700; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board and the committee recommended that the application should be granted for the parking use provided it is restricted to Lots 1 and 18 in Block 8558 with no parking on Lots 22, 24 and 57, and as a requirement thereto, that the split sapling fence as required under Cal. No. 939-53-BZ, Vol. 3 shall be immediately installed and to permit the curb cut from such lot to allow crossing of Hendrickson Street to the additional lot in Block 8558 herein permitted; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision h of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 7h to

permit parking use as proposed and indicated on plans filed with this application marked, "Received April 23, 1958," 3 sheets, except that the total area of the lot shall be restricted to Lots 1 and 18 in Block 8558 as shown excluding Lots 22, 24 and 57 as proposed; that such lots as herein permitted shall be levelled substantially to the grade of Hendrickson Street and shall be paved with clean gravel or steam cinders, treated with a binder and properly rolled; that there shall be erected on all lot lines a woven wire fence of the chain link type not less than 5 feet, 6 inches in height with no openings thereto except one for entrance and exit opposite the curb cut to Hendrickson Street permitted this day under Cal. No. 939-53-BZ, Vol. 3; that no parking shall be permitted on the lot herein except the parking for patrons and employees of the restaurant premises on Block 9558; that a sign may be permitted and attached to the fence near the entrance provided such sign does not exceed 10 square feet and is not illuminated and does not extend beyond the building line; that there may be a curb cut opposite such entrance not over 15 feet in width; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

939-53-BZ—Vol. III

APPLICANT—Lama, Proskauer and Prober, for Iandor Realty Corp., owner; Roadside Tavern, Inc., lessee.

SUBJECT—Application for consideration—reopening and amendment—re decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence and business use D1 area district, the erection of a two story extension and second floor addition to an existing one and two story building for use as waiters' dressing room and storage on the first floor, and storage, kitchen, dressing and reception, office and banquet room on the second floor, the proposed extension to encroach on the required setbacks and provide a 60 foot extension to the existing parking lot.

PREMISES AFFECTED—2544 Flatbush Avenue and 4201-4223 Avenue V, northwest corner and 2245-2283 Hendrickson Street, Block 8559, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Klei-
ert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was amended on June 17, 1958 and the applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 25, 1954, as thereafter amended by resolutions adopted through June 17, 1958, by adding thereto:

"that there may be an entrance and exit to Hendrickson Street, located approximately 200 feet northerly from Avenue V, in the existing fence, which shall be fitted with gates which shall be kept closed when the restaurant is not in operation, and with curb cut opposite not exceeding 15 feet in width, for access to Hendrickson Street and to Block #8558, permitted for parking use in conjunction with the restaurant under Cal. No. 257-58-BZ as granted this day; that the two parking areas shall be operated in conjunction and only for parking cars of employees and patrons; that the requirements of the resolutions heretofore adopted shall be complied with and any work not done, except the extension of the building previously permitted, shall be completed, speci-

MINUTES

fically with reference to the split sapling fence toward the northerly end of the premises; that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution."

273-58-BZ

APPLICANT—Fred C. Dahlem and Victor E. Block, for Tudor Art Galleries, Charles Albert, President, owner.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a residence use district, the erection of an extension to an existing structure, formerly 2 four story buildings and now connected, the proposed extension to have the second, third and fourth floors occupy the same area as the first floor.

PREMISES AFFECTED—309-311 East 56th Street, north side, 130 feet east of 2nd Avenue, Block 1349, Lots 6 and 7, Borough of Manhattan.

APPEARANCES—

For Applicant: Fred C. Dahlem and Charles Dahlem.
For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: 0
Negative: Chairman Murdock, Commissioner Kleinert,
Commissioner Foley and Commissioner Sleeper 4
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; laid over to December 19, 1958; for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site is in a residence use, B area class 1½ height district; East 56th Street is in retail, residence and local retail use, B area, class 1½ height districts; East 57th Street is in restricted retail, residence and local retail use, B area, class 1½ height districts; Second Avenue is in retail and restricted retail use, B area, class 1½ height district; First Avenue is in a local retail use, B area, class 1½ height district; that these buildings were in a business district from 1916 to August 22, 1956 when the zone was changed to retail; that in July 1958 the zone was changed again from retail to residence; and

WHEREAS, the decision of the Borough Superintendent, dated April 22, 1958 acting on Alt. Applic. No. 290-58, reads:

"1. Change from one non-conforming use to another non-conforming use in a Residence Use District is not permitted. Article II Para. 3 of the Zoning Resolution.

2. Volume and area may not be increased for business use in a Residence Use District. Section 6(a) of Article II of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 45 feet frontage by 100 feet 5 inches in depth; that it is proposed to build over the interior portions connecting the front and rear building with level floors from front to rear; that there will be no increase or extension beyond the present lot lines; and

WHEREAS, the applicant states that the owner bought this building in September 1955 for his business, which is known as the Tudor Art Galleries, Inc.; that they buy and sell, and have showrooms for the display of crystal chandeliers and very ornamental wall brackets; that they also maintain a shop to repair any broken parts or assembly of parts; that not more than five persons are engaged at any time for factory work; that there is nothing hazardous about the nature of the work, as the materials involved are entirely incombustible; and

WHEREAS, the applicant further states that the first and second floors cover nearly all of the lot; that the portion to be built upon is between front and rear and is hardly noticeable to anyone; that premises 309 East 56th Street is four stories, non-fireproof, 20 feet wide by 98 feet deep and was erected under N.B. Applic. No. 770 of 1892, and approved as a wine bottling establishment; floor computation No. 621 approved—see letter book 148 page 377; cellar on ground; first floor—shipping room in front—stable in rear—208 pounds and 250 pounds per square foot; second floor—wine bottling-store room; third floor—wine bottling-store room—office—150 pounds per square foot; fourth floor—store room; that premises 311 East 56th Street is four stories, non-fireproof, class 3, erected under Plan No. 772 of 1892 for wine bottling and dwelling for two families; that the building was converted to a tenement—see tenement house plan July 24, 1924—plan number 484—1924—also Alt. Plan 1798 of 1924; that this alteration was approved for a bakery in cellar and first floor, known as "Lusts Health Food Bakery"; that the buildings are connected in the cellar and first, second third and fourth floors; that there will be two fireproof enclosed stairways with fireproof, self-closing doors at all openings; that there is also a 60 degree fire escape on the front of the building with sliding drop ladder to street, which will be removed in order to enhance the front; that new windows will be installed to create a more modern front; and

WHEREAS, the applicant contends that the owner is at present under financial difficulties, but if this application is granted, he will have the opportunity to combine with a partner who is financially capable of completing the alteration and modernizing the entire building; that there is no nuisance connected with this business; that the premises will retain a residential aspect and have far less persons occupying it than a multiple dwelling; and

WHEREAS, the applicant states that the present owner has held title to the property since September 20, 1955; that the assessed valuation of land is \$41,500 and of the building \$23,500 making a total of \$65,000; that the building was erected in 1892; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision c of the Zoning Resolution.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 290-58, Objections Nos. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

277-58-BZ

APPLICANT—Leonard F. Rothkrug, for Frank and Leana Mezzacappa, owners; Michael Battista, lessee.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the rebuilding of an accessory motor vehicle repair shop building to an existing gasoline service station and motor vehicle repair shop with parking of cars awaiting service.

PREMISES AFFECTED—175 Targee Street, southeast corner of Broad Street, Block 563, Lot 60, Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Leonard F. Rothkrug.

For Opposition: None.

For Administration: C. J. Cammarata (New York Housing Authority).

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleinert, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

MINUTES

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; laid over to December 19, 1958; for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Gordon Street and Targee Street are in retail and residence use, C and D area, class 1 height districts; Broad Street is in a retail use, D area, class 1 height district; that on July 25, 1916 the premises was in an unrestricted use, B area, class 1½ height district; that the premises was rezoned on November 17, 1922 to be partly in an unrestricted and partly in a residence use district; that the unrestricted district was rezoned into business and the area district was changed to C area on June 14, 1935; that on January 21, 1942 the business use district was changed to business-1 district and the area district was changed to C and E area district; that on June 28, 1956 the use district was changed from business-1 to retail; and

WHEREAS, the decision of the Borough Superintendent, dated April 21, 1958 acting on Alt. Applic. No. 401-57, reads:

"1. This proposed "alteration" consists very nearly, of the demolition of the existing frame building and erection of a new Class III building. This is contrary to Art. II Par. (6a) of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 133.6 feet frontage by 80 feet in depth, irregular in area, on which is located two 2-story buildings fronting on Broad Street and not affected by this application, and a gasoline service station and a motor vehicle repair shop with parking of cars awaiting service under Certificate of Occupancy No. 2888 issued September 29, 1941; that it is proposed to reconstruct the accessory motor vehicle repair shop building by erecting a new cinder block wall around the interior perimeter of the existing frame wall, which was still standing; and

WHEREAS, the applicant states that the premises was originally zoned unrestricted and then was changed to business; that the gasoline service station and motor vehicle repair shop was not accepted by the Department of Buildings as an existing legal non-conforming use and the only basis for its objection is that the accessory frame building cannot be replaced under Article II Section 6(a) of the Zoning Resolution since it is in excess of the percentage of reconstruction permitted; that when the accessory building was erected, it was of frame construction and in the almost 40 years that this building has existed, it has been damaged from time to time in the ordinary wear and tear of business and by the elements; that the building was particularly substantially damaged by hurricanes in 1953 and 1954 to the point that it was in a dangerous and unsafe condition; and

WHEREAS, the applicant further states that it is not proposed to increase the area of the motor vehicle repair shop building, and it is not proposed to change the uses on the premises; that the proposed construction is only intended to replace the damaged shell of the building and would be a permitted alteration if the damage had been caused by fire rather than by hurricanes; and

WHEREAS, the applicant contends that a grant of the variance will benefit the property owners within the affected area, since it will permit the removal of an unsightly, dilapidated building that has long outlived its usefulness; that this beneficial effect is proved by the large number of consents which have been promised; and

WHEREAS, the applicant states that Violation No. 533-57 was issued May 31, 1957 for doing work without a permit; that the occupant of the premises explained to the Building Department that the work done was of an emergency nature and that the frame building was unsafe; that the work consisted of erecting cement block walls within the

interior perimeter of the frame building; that the exterior frame walls are still standing and will be demolished upon a grant of this variance; and

WHEREAS, the applicant contends that the spirit of the Zoning Resolution does not seek to prevent the repair or reconstruction of accessory buildings as proposed herein; that it becomes difficult to compute the value of the gasoline service station and accessory building in order to determine whether the reconstruction is greater than 50% as permitted in Article II Section 6 of the Zoning Resolution which appears to be designed to relate to buildings in which the principal use is within the building, whereas in the present application, the building occupies a very small percentage of the area of the lot, and is an accessory building to the principal use of the premises as a gasoline service station; and

WHEREAS, the applicant states that the present owners have held title to the property since October 9, 1953; that the assessed valuation of land is \$12,000 and of the building \$9,000 making a total of \$21,000; that the building was erected in 1957; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the records in the Building Department show approval in 1926 of substantially all of the present plot including that part at the corner now occupied by buildings not now occupied as part of the existing gasoline station; the total frontage of the premises were approved for a total of 105 feet instead of the frontage now shown; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision c of the Zoning Resolution and to include extension of area.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7c to permit the reconstruction of the existing accessory building as proposed and shown on plans filed with this application marked, "Received May 2, 1958," 4 sheets; that the reconstructed building shall comply in all respects with all laws, rules and regulations applicable thereto; that there shall be no cellar under such building; that the building shall be faced with stucco over the proposed cement block; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and limited to the size of plot as previously permitted by the Fire Department and Department of Buildings; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

275-58-BZ

APPLICANT—J. M. Berlinger, for Martin Brown and William Turner, owners.

SUBJECT—Application May 2, 1958—decision of the Borough Superintendent, under sections 7e, 9A and 21 of the Zoning Resolution, to permit in a residence use, Class 1 height district, the erection of a six (6) story multiple dwelling with a 70 car garage that exceeds the allowable height, is located within two miles of a designated airport and provides for three (3) retail stores on the first floor.

PREMISES AFFECTED—1261 Far Rockaway Boulevard, southwest corner of Beach 12th Street, Block 35, Lots 17-27 and Lot 31, Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: J. M. Berlinger.

For Opposition: Irving Driansky.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley
and Commissioner Sleeper 3
Negative: Commissioner Kleinert 1
Absent: Vice Chairman Keating 1

MINUTES

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Beach 12th Street, Far Rockaway Boulevard, Channing Road and Neilson Street are in a residence use, D area, class 1 height district; and

WHEREAS, the decision of the Borough Superintendent, dated April 2, 1958 acting on N.B. Applic. No. 4643-56, reads:

"3M. Portion of proposed multiple dwelling beyond 100 ft. from the corner of Far Rockaway Boulevard 12th St. exceeds the height limit permitted. Secs. 8(d) & 9A(a) of the Zoning Resolution.

4M. Portion of proposed multiple dwelling beyond 100 ft. from the wider street, Far Rockaway Blvd. (if it were not within two miles of an airport, exceeds the height limit for the narrower street. Sec. s. 8d) and 9(B) of the Zoning Resolution.

5M. Three (3) business stores as shown on cellar plan of proposed multiple dwelling are not permitted in a residential use district. Article II Sec. 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 412 feet frontage by 150 feet in depth; that it is proposed to erect a six story multiple dwelling, with garage facilities for 70 cars; and

WHEREAS, the applicant states that the building for 100 feet on Beach 12th Street is six stories high, the same as it is for its entire length along Far Rockaway Boulevard; that if it were not within two miles of Idlewild Airport, that portion beyond 100 feet on Beach 12th Street could likewise be the same six stories in height—lacking 7 feet 6 inches only—according to 9(c) of the Zoning Resolution and Section 26-5 of the Multiple Dwelling Law; that if the height of the building was not restricted because of its location just within the two mile radius of Idlewild Airport, it could have been planned and carried considerably higher than six stories—according to law—which was the owners' original thought and intention; that as filed, no part of the building exceeds six stories in height, and thus by conforming to the safety measures prescribed in 9A(a) of the Resolution, it affords greater benefits to the surrounding properties than a building twice its height could, if the restrictions did not apply; that furthermore, 66.71 feet of the 249.35 foot frontage on Beach 12th Street—approximately one-quarter of its length—will remain vacant and unbuilt upon, which could be considered another benefit to the neighborhood; that the Board is requested to approve the Beach 12th Street front with the 6th story beyond 100 feet from Far Rockaway Boulevard, so that this front will be the same height as that of the general height of the building; that this is requested for the reason mentioned in the preceding paragraph and for the reason that it is not the full height of the 6th story that is lacking, but only 7 feet 6 inches that the owners seek in order to obtain that 6th story full height; that the center portion of the Beach 12th Street front is set back from the street line for the purpose of creating a break in the long facade of the building; and

WHEREAS, the applicant further states that the portion of proposed multiple dwelling beyond 100 feet from Far Rockaway Boulevard exceeds the height limit not by the height of a full story, but also to the extent of 7 feet 6 inches to accommodate a 6th story in said portion of the building; that only 6874 square feet of the entire area—where shaded on the plan of a typical floor—which is approximately only one-fifth of the entire coverage, requires the extra 7 feet 6 inches in height to complete the 6th story; that if the rear yard wall had been planned parallel to the rear lot line, it has been calculated that close to 11,000 square feet would be involved, instead of the 6874 square feet mentioned above by virtue of the serrated plan that was adopted for the building with its many advantages of fitting it to the irregu-

lar and long lot, best orientation, ventilation, light, vistas, etc.; that the serrated plan provides excess rear yard—as defined in Article 1 of the Zoning Resolution, which is to the building's advantage and that of the adjoining properties; that the serrated plan provides excess court space as defined in (K) of 1 Article 1 of the Zoning Resolution; that of the 3500 square feet, which is 70 percent of the 5000 square feet of the corner portion of the lot, only 2500 square feet can be utilized, because of the sharp angle at the east corner of the building; that because of the above mentioned angle, also the length of the plot, the allowable coverage of the interior part of the lot is 14 times greater than the coverage on the corner part of same, which seems to indicate that the tail is wagging the dog, rather than the reverse; that the plot is within two miles of an airport and happens to be a corner lot; that however, if the major part of it constituted a separate interior lot, then the height would be governed by the width of Far Rockaway Boulevard on which it fronts, and the height of the rear of the building governed by the legal width of the required yard along the rear lot line, besides the restriction for being within the two mile radius of Idlewild Airport—not higher than six stories; and

WHEREAS, the applicant states that the space used for three business stores totals 2626 square feet, which is less than one percent of the total area of the lowest level of the building amounting to 36,139 square feet; that of the street frontage on Far Rockaway and Beach 12th Street, totaling 647½ linear feet, only 48 linear feet are used for the three store fronts; that the stores virtually face the intersection of three streets and are not at right angles facing the street walls of the buildings on opposite sides of the streets on which the building will be erected; that there are no show windows in the enclosing masonry walls that face either Far Rockaway Boulevard or Beach 12th Street; that the fact is that the three stores front on, and are at the low level of a sunken plaza, 2 feet 6 inches below the sidewalk levels; that the nearest structure in close proximity to the building, including the three stores, is the Riverside Memorial Chapel and Funeral Parlor, which for its entire length of 112 feet 6 inches, faces the front of the building; that another funeral parlor, the Park West, at the corner of Far Rockaway Boulevard and Wheatly Street, faces the opposite end of the building; and

WHEREAS, the applicant states that the owners took title to the plot in 1951 and at that time 100 feet in depth was still zoned for business on both sides of Far Rockaway Boulevard, stretching from the corner of Beach 12th Street to the Long Island Railroad Station; that the zoning was changed from business to residence on December 2, 1952 with the land already in possession of the owners; and

WHEREAS, the applicant contends that before the owners took title in 1951 the width of Beach 12th Street was 40 feet, which it still is; that in 1922 it was decided to make it 50 feet wide; that after the owners took title to the site, Beach 12th Street was designated as a 60 foot street; that this meant that the street line of the building on Beach 12th Street had to be moved back 10 feet for its entire length of 249.33 feet, for which the owners declined compensation from the City; that this also means that the setback of 10 feet for 182.62 feet, the actual length of the building on Beach 12th Street, multiplied 7 times for 6 floors and a cellar, is an area loss of 12,783 square feet, about twice the area of 6874 square feet being sought within the 6th story only of the portion of the building beyond 100 feet measured back from Far Rockaway Boulevard; that the 6874 square feet would compensate the owners for approximately one-half of the area lost by them, due to the proposed widening of Beach 12th Street; that to omit these portions of the 6th story in the rear of the building would constitute practical and structural difficulties because of the serrated shape of the building, and also unnecessary hardship through the loss of rental area; that if the plot and building were not within two miles of an airport, which restricts its height to six stories, the owners would have planned to erect a taller building with considerably more rental area; that further-

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more, a great deal of conscience and thought went into the planning of this building, whose open areas for light and air are far in excess of the required legal areas, that will obtain for it and its neighbors the best possible plot ventilation; that the very shape of the building and the location and sizes of its yards and courts assures the accomplishment of same; and

WHEREAS, the applicant states that the present owners have held title to the property since 1951 and that the assessed valuation of land is \$44,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, which recommended that the application be granted in certain respects under certain conditions including the elimination of business uses as proposed or elsewhere in the building; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution as to objections 3M and 4M and is therefore entitled to relief as to height on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the height district regulations of the Zoning Resolution and that the application be and it hereby is granted under Section 21 for a term of thirty-five years, as to Objection 3M, to permit the extra height of that portion of the building facing on Beach 12th Street, on condition that such of the building shall not be further increased in height or area beyond what is proposed and indicated on plans filed with this application, marked "Received May 2, 1958", 5 sheets and "November 7, 1958", 1 sheet; and as to Objection 4M, granted under Section 9A, paragraph c, on condition that this portion of the building shall not exceed the height proposed and indicated on plans above cited and as herein permitted and on the further condition that the cellar garage exit and entrance where shown to Far Rockaway Boulevard, as indicated on such plans shall be for regular use only and that the exit as shown to Beach 12th Street shall be for emergency use only; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and denied as to Objection 5M; and that all permits required shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

365-58-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.

SUBJECT—Application May 27, 1958—decision of the Borough Superintendent, under sections 7e and 7i of the Zoning Resolution, to permit in a business use district, the change in use of an existing one story building from a garage for more than five (5) motor vehicles to an auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental painting and spraying, storage of parts, parking and storage of motor vehicles waiting to be serviced, loading and unloading and welding.

PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet 4½ inches east of Rogers Avenue, Block 5066, Lot 23, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the Bulletin; laid over to December 19, 1958; for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site and Clarkson Avenue are in a business use, C area, class 1¼ height district; Nostrand Avenue is in business and residence use, C area, class 1¼ height districts; Rogers Avenue is in business and local retail use, C area, class 1¼ height districts; Lenox Road is in local retail and residence use, C area, class 1¼ height districts; and

WHEREAS, the decision of the Borough Superintendent, dated May 12, 1958 acting on Alt. Applic. No. 1152-58, reads:

"1. The proposed change of use of a "Garage for more than five cars to "Auto Repair Shop, Lubritorium, Servicing of Cars, Wheel Alignment, Body and Fender Work, Incidental Paint and Spray Work, Welding, Storage of Parts, Parking and Storage of Motor Vehicles waiting to be serviced, Loading and Unloading in a Business Use District is contrary to Art. II Section 4(a) (4) and (29) and (15) of the Zoning Resolution.

Note: These premises were the subject Board of Standards and Appeals Cal. No. 1420/23/BZ and must be referred back to the Board."

and

WHEREAS, the applicant states that the premises consist of a plot, 150 feet frontage by 200 feet in depth, presently developed with a one story building of class 3 construction, having a frontage of 150 feet, a depth of 160 feet and now being used for auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental painting and spraying work, storage of parts, parking and storage of motor vehicles awaiting service, loading and unloading; that it is proposed to maintain and legalize all of the present uses as described above and to add the use of welding; and

WHEREAS, the applicant states that the present building was erected under N.B. Applic. No. 34628 of 1925 and Cal. No. 1420-23-BZ for use as a garage for more than five motor vehicles, for which use Certificate of Occupancy No. 34628 was issued; and

WHEREAS, the applicant contends that the change of use of the building in question from a garage for more than five cars to an auto repair shop, lubritorium, servicing of cars, wheel alignment, body and fender work, incidental paint and spray work, welding, storage of parts, parking and storage, cars awaiting service, loading and unloading is certainly within keeping at this point inasmuch as the site is adjoined on the west by a non-conforming use of gas station and garage, and on the east by a large parking lot; that there is also the non-conforming use of motor vehicle repair shop on lot 38, within the same block; that the lot and building are high in assessed value so that it is mandatory to change the uses as proposed in order for the owner to retain the property and continue to pay the high real estate tax; that the installation of the large parking lots within the same block has precluded the use of this building for a public garage; and

WHEREAS, the applicant states that the present owner has held title to the property since April 1, 1955; that the assessed valuation of land is \$55,000 and of the building \$60,000 making a total of \$115,000; that the building was erected in 1925; and

WHEREAS, this application should have been calendared as Calendar Number 142-33-BZ Vol. II; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that this was an appropriate case in which to exercise discretion to grant under Section 7, Subdivision i of the Zoning Resolution.

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 7i in accordance with the terms of the resolution as amended this day under the previous application for these premises, namely 1420-23-BZ; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

1420-23-BZ

APPLICANT—Lama, Proskauer and Prober, for Dorlo Corporation, owner; Flatbush Chevrolet Co., Inc., lessee.

SUBJECT—Application for consideration—reopening for amendment of resolution—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7e of the Zoning Resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—224-240 Clarkson Avenue, south side, 135 feet, 4½ inches east of Rogers Avenue, Block 5066, Lot 21, Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice-Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on March 25, 1924, on certain conditions; and

WHEREAS, the resolution was amended on September 19, 1933 and October 24, 1939; and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 25, 1924, and as thereafter amended by resolutions adopted through October 24, 1939, by adding thereto:

"that under Section 7 subdivision e there may be for a term of four years the parking and storage of motor vehicles provided such parking and storage is maintained where the servicing of the station will not be interfered with; that under Section 7i motor repairing may be permitted including the servicing of motor vehicles, wheel alignment, fender work, incidental painting, spraying and welding as proposed and shown on plans filed with Calendar No. 365-58-BZ; and that the resolution as adopted thereunder this day shall be complied with."

485-58-BZ

APPLICANT—Paul Trapani for Abe and Elizabeth Sholachman, owner.

SUBJECT—Application August 13, 1958—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a D-1 area district, the erection of an extension to the rear of an existing one family dwelling that will encroach on the required rear yard.

PREMISES AFFECTED—2835 Gunther Avenue, west side, 200.27 feet, south of Arnov Avenue, Block 4792, Lot 14, Borough of the Bronx.

APPEARANCES—

For Applicant: Paul Trapani and Elizabeth Sholachman.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958, after due notice by publication in the Bulletin; laid over to December 19, 1958; for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Gunther Avenue, Arnov Avenue, Barton Avenue and Tieman Avenue are in a residence use, D-1 area, class ½ height district; and

WHEREAS, the decision of the Borough Superintendent, dated July 25, 1958 acting on Alt. Applic. No. 346-56, reads:

"1. In a D-1, Residence district the rear yard of 6 feet in depth does not comply with Sect. 14-A Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot, 50 foot frontage by 95 feet in depth, upon which there exists a one family, one story frame dwelling; that originally this was filed as a new building in 1933; that it is proposed to construct a one story frame extension to the rear of the present one family dwelling, and extend to the present garage; that the garage will then become part of the dwelling; and

WHEREAS, the applicant states that the original building was 12 feet 8 inches by 24 feet deep, with a separate one car garage on the side; that in 1943 the garage was made part of the house and the house itself was extended at the rear and front; that this work was done by previous owners without filing plans in the Building Department; that a Certificate of Occupancy was never issued; and

WHEREAS, the applicant further states that the present owners bought this property in November of 1956; that the search by owners' attorneys never revealed a violation, as work was done without knowledge of the Building Department; that recently, however, the Department issued a violation stating that the house was illegally altered and that the rear yard was only 5 feet 6 inches average, instead of the 10 foot minimum rear yard required for a D-1 zone; that when this house was built it was a C area zone; and

WHEREAS, the applicant contends that in order to remove this violation, it would be necessary to either move the house forward, remove the rear extension and add to the front, or buy from the adjoining property owner; that the latter was tried without success; that any one of these three methods would cost more than the house is worth; besides which, the property does not warrant such a large outlay of money; that the present owners, who are in the low income bracket, would be forced to sell; that the house in its present position does not affect the light or ventilation of any adjoining property owners, as no house is within 25 feet of this property; that the owners have invested all of their savings in this house and have spent additional monies improving it; that in view of the above, a variance is requested to permit this house to remain so that a Certificate of Occupancy can be issued; and

WHEREAS, the applicant states that the present owners have held title to the property since November, 1956; that the assessed valuation of land is \$1,400 and of the building \$5,000 making a total of \$6,400; that the building was erected in 1933; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that the applicant had substantiated a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution, and is therefore

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entitled to relief as to area on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Zoning Resolution and that the application be and it hereby is *granted* under Section 21 to permit the continuation of the existing building and single family residence as proposed and as shown on plans filed with this application marked, "Received August 13, 1958," 4 sheets, "November 14, 1958," 3 sheets *on condition* that the building shall not be further increased in height or area; that this variance shall be continued only so long as the premises comply with the requirements of this resolution for single family occupancy; and that all permits shall be obtained and all work completed within the requirements of Section 22A of the Zoning Resolution.

8-34-BZ

APPLICANT—Lama, Proskauer and Prober, for Fiske and Queens Realty Corp., owners.

SUBJECT—Application for consideration—reopening for extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under section 7f of the Zoning Resolution, permitting in a business use district, for a term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Jamaica Avenue and 187th Place, Block 975, part of Lot 1, Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on April 24, 1934, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on November 20, 1934; and

WHEREAS, the terms of variance was extended on September 13, 1938 and December 14, 1948; and

WHEREAS, the resolution was amended from time to time and last amended on March 21, 1950; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on April 24, 1934, as thereafter *amended* by resolutions adopted through March 21, 1950 only so far as it refers to the term of variance, so that as *amended* this portion of the resolution shall read:

"... granted under Section 7, Subdivision f for a term of 10 years from the date of this amended resolution as passed on by the Borough Superintendent under N.B. 39/34, Objection 1, denied December 17, 1958; to permit; that other than as herein amended the resolution above cited particularly resolution of December 14, 1948 shall be complied with in all respects; and that a new certificate of occupancy shall be obtained."

512-48-BZ

APPLICANT—Lama, Proskauer & Prober, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application for consideration—reopening for

extension of term of variance—re Application, decision of the Borough Superintendent; previously granted on condition, under sections 7e, 7i and 7A of the Zoning Resolution, permitting in a restricted retail use district, the erection and maintenance of a motor vehicle repair shop and the parking and storage of more than five motor vehicles, with entrances beyond the permitted distance from intersection and with advertising signs nearer to the arterial highway than permitted.

PREMISES AFFECTED—135-16 to 135-22 Linden Boulevard and 114-02 to 114-10 Van Wyck Expressway, southwest corner, Block 11661, Lots 7 and 9, Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and term of variance extended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleintert, Commissioner Foley and Commissioner Sleeper.. 4

Negative: 0

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, this application was granted by the Board on December 7, 1948, on certain conditions; and

WHEREAS, time to obtain permits and complete the work was extended on December 6, 1949; and

WHEREAS, the applicant requested an extension of the term of variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 7, 1948, only so far as it refers to the term of variance, so that as amended this portion of the resolution shall read:

"... granted under Section 7, Subdivision e, A and i for a term of 10 years from the date of this amended resolution, as cited by the Borough Superintendent under amendments to NB App. 1454/48 disapproved December 17, 1958; to permit; that other than as herein amended the resolution above cited shall be complied with in all respects; and that a new certificate of occupancy shall be obtained."

522-58-BZ

APPLICANT—John F. Fitzsimons, for Wilton Homes, Inc.

SUBJECT—Application September 5, 1958—decision of the Borough Superintendent, under sections 7e and 21 of the Zoning Resolution, to permit in a residence use, F area district, the erection and maintenance of a gasoline service station, lubritorium, auto laundry, minor repairs with hand tools only solely within the accessory building with less than the required setback and parking of more than five (5) motor vehicles awaiting service for a stated term of fifteen (15) years.

PREMISES AFFECTED—166-15 Willets Point Boulevard, north side, entire triangular block bounded by 166th Street and Cross Island Parkway, 166-02 Cross Island Parkway, Block 4764, Lot 88, Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: John F. Fitzsimons.

For Opposition: Joseph La Monica and Anna Ervine.

ACTION OF BOARD—Application denied.

THE VOTE—

Affirmative: Commissioner Foley 1

Negative: Chairman Murdock, Commissioner Kleintert, and Commissioner Sleeper 3

Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, a public hearing was held on this application on December 16, 1958 after due notice by publication in the

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Bulletin; laid over to December 19, 1958; for inspection and decision; hearing closed; and

WHEREAS, the district maps accompanying the Zoning Resolution show that the site, Cross Island Parkway, Willets Point Boulevard and 166th Street are in a residence use, F area, class ½ height district; that as of July 25, 1916 the premises was zoned as a business district, a one times height district and a D area district; that on December 19, 1938 the present zoning designation as a residence district, a class ½ height district and an F area district became effective; and

WHEREAS, the decision of the Borough Superintendent, dated August 25, 1958 acting on N.B. Applic. No. 2772-58, reads:

"1. The proposed erection of a gasoline service station, lubritorium, auto laundry, minor auto repairs with hand tools only, parking of motor vehicles awaiting to be serviced and the erection of a ground sign on a lot in a residence use district is contrary to Art. 2, Sec. 3 of the Z.R.

2. Comply with the setback requirements in an F district as per Sec. 16 of the Z.R."

and

WHEREAS, the applicant states that the premises consist of a plot, 215.95 feet frontage by 160.50 feet in depth, presently vacant; that it is proposed to erect an accessory building 53 feet 4 inches wide by 28 feet 8 inches wide on the westerly lot line facing into the lot; that along said westerly lot line—166th Street—there will be constructed a masonry wall of face brick 5 feet 6 inches high; that it is also proposed to install twelve 550 gallon gasoline tanks to supply one set of three gasoline pumps set back 15 feet from the service road of Cross Island Parkway, and one set of three gasoline pumps set back 15 feet from Willets Point Boulevard; that the pumps will be of the approved low type; that two 30 foot curb cuts are proposed for the Cross Island Parkway frontage and three 30 foot curb cuts are proposed for the Willets Point Boulevard frontage; and

WHEREAS, the applicant states that this application is made under Section 7e as to use, and under Section 21 as to area; that the total area of the plot is 17,781 square feet; that the coverage proposed for the accessory building is approximately 1528 square feet, which is less than 9% of the area; that objection 2 reads—comply with the setback requirements in an F district, as per Section 16 of the Zoning Resolution; that in an F district no portion of any building shall be erected nearer than 15 feet to the street line of any street; that it is proposed to comply with all requirements of the F area district regulations, except that along the 166th Street frontage of 160 feet, it is proposed to place the rear wall of the accessory building on the lot line for a distance of 53 feet 4 inches; that this is necessitated by the irregular shape of the plot; that full compliance with the setback requirements would militate against an effective operation of the proposed gas station; and

WHEREAS, the applicant contends that Willets Point Boulevard is a heavily trafficked highway, intersecting the service road of Cross Island Parkway at the easterly end of the premises and intersecting Utopia Parkway some 300 feet further on, where Utopia Parkway crosses Cross Island Parkway; that the area is devoted primarily to private dwellings; that the nearest gas stations south of Cross Island Parkway are one, west of 150th Street and the Cross Island Parkway Service Road, one on Willets Point Boulevard and Clintonville Street and one at Francis Lewis Boulevard and 172nd Street; that it is felt that the proposed station will serve the needs of the neighborhood without adversely affecting the neighborhood; that the premises is, in fact, an isolated island with no occasion for any pedestrian traffic around any part of its periphery; and

WHEREAS, the applicant states that the present owner has held title to the property since August 12, 1953 and that the assessed valuation of land is \$9,500; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board found that there was no justification for the exercise of discretion to grant a zoning variance under Section 7, Subdivision e of the Zoning Resolution; and

WHEREAS, the Board found that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under Section 21 of the Zoning Resolution and was therefore not entitled to relief on the grounds of practical difficulty or unnecessary hardship.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. 2772-58, Objections No. 1 and 2 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

564-57-BZ

APPLICANT—Simon Cohen, for Ellis Zweier, owner.

SUBJECT—Application July 26, 1957—decision of the Borough Superintendent, under section 21 of the Zoning Resolution, to permit in a G-1 area district, the enlargement of the garage in a two family home that encroaches on the required side yard.

PREMISES AFFECTED—131 Beach 135th Street, west side, 671.21 feet south of Rockaway Beach Boulevard, Block 775, Lot 41, Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to January 13, 1959, at 10 A.M. for decision; no appearance, applicant to be notified; hearing previously closed.

741-57-BZ

APPLICANT—Dominick Salvati and Son, for Andrew Trenchina, owner.

SUBJECT—Application October 16, 1957—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail and residence use district, the erection of a one-story masonry extension to an existing one-story building to provide adequate facilities for the established cement block manufacturing shop.

PREMISES AFFECTED—1564 Hylan Boulevard, southeast corner of Burgher Avenue, Block 3368, Lot 15, Dongan Hills, Borough of Richmond.

APPEARANCES—

For Applicant: Dominick Salvati.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. the premises were inspected by a committee of the Board; and for applicant to furnish the Board with full information as to the establishment of the present use; hearing previously closed.

869-57-BZ

APPLICANT—Hannibal F. Zumbo, for Avanti Realty Corp., owner.

SUBJECT—Application December 3, 1957—decision of the Borough Superintendent, under section 7h of the Zoning Resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-49 Tompkins Place, east side, 98 feet, 5 inches north of Degraw Street, Block 326, Lots 7 and 11, Borough of Brooklyn.

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APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959 at 10 A.M. for decision; no appearance, applicant to be notified; hearing previously closed.

959-57-BZ

APPLICANT—Kenneth W. Milnes, for Frank and Wesley Van Hoesen, owners.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7c and 21 of the Zoning Resolution, to permit in a residence use district, a new modern, four (4) bay, masonry building as additional accessory building to the present gasoline service station, the new building to be used for lubritorium, car wash, motor adjustments and minor repairs with hand tools only.

PREMISES AFFECTED—3701 Amboy Road, northwest corner of Old Amboy Road, Block 4645, Lot 100, Great Kills, Borough of Richmond.

APPEARANCES—

For Applicant: Kenneth W. Milnes and James A. Flood.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. the premises were inspected by a committee of the Board; and for further consideration; applicant to furnish prior records of establishment and revised plans as to confines of proposed use; hearing previously closed.

960-57-BZ

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner; Isle Fuel Oil Service Co., under contract to purchase.

SUBJECT—Application December 23, 1957—decision of the Borough Superintendent, under sections 7e and 7h of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, lubritorium, car washing, minor motor vehicle repairs with hand tools only, sale of accessories, and parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. for applicant to file plan showing gas station in relation to Narrows Bridge; hearing previously closed.

342-58-A

APPLICANT—Albert Melniker, for Joseph J. Thomas, owner.

SUBJECT—Application May 28, 1958—filed pursuant to section 35, General City Law re Curb Cuts in bed of mapped street—Bay Street.

PREMISES AFFECTED—1400 Bay Street and 5 Fingerboard Road, northwest corner, Block 2864, Lot 57, Rosebank, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. for applicant to file revised plans showing relation of plot to Narrows Bridge; hearing previously closed.

9-58-BZ

APPLICANT—Albert Melniker, for Vincent De Palma and Frank Griffe, partners.

SUBJECT—Application January 15, 1958—decision of the Borough Superintendent, under section 7c of the Zoning Resolution, to permit in a retail use district, at an existing gasoline service station with public garage, motor vehicle repair shop, used car lot and dead storage of automobiles, the erection of an extension for use as a two-bay lubritorium, and to extend the uses to include auto body and fender repairs.

PREMISES AFFECTED—2062 Richmond Road and 5 Colfax Avenue, southeast corner, Block 3577, Lot 1, Grant City, Borough of Richmond.

APPEARANCES—

For Applicant: Albert Melniker.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. The premises were inspected by a Committee of the Board; for further consideration after applicant has submitted to the Board a proposal to preclude storing motor vehicles on Colfax Street; hearing previously closed.

368-58-BZ

APPLICANT—Samuel Carr, for Ruth Liebow, owner.

SUBJECT—Application June 10, 1958—decision of the Borough Superintendent, under sections 7e, 7h and 21 of the Zoning Resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, car wash, lubritorium, office and sales, motor vehicle repairs and parking of cars awaiting service.

PREMISES AFFECTED—5770 Hylan Boulevard, southwest corner of Segune Avenue, Block 6699, Lot 1, Princess Bay, Borough of Richmond.

APPEARANCES—

For Applicant: S. Carr.

For Opposition: None.

ACTION OF BOARD—Laid over to January 6, 1959, at 10 A.M. at the request of the applicant to file revised plans; hearing previously closed.

471-58-BZ

APPLICANT—William C. Kane, for Pat Management Corp., owner.

SUBJECT—Application August 1, 1958—decision of the Borough Superintendent, under sections 7f, 7e and 7i of the Zoning Resolution, to permit in a retail use district a gasoline service station, lubritorium, non-automatic car wash, motor vehicle repair shop using hand tools only, parking of more than five (5) motor vehicles.

PREMISES AFFECTED—801-821 Sound View Avenue, 1701-1751 Lafayette Avenue, northwest corner and 800-830 Rosedale Avenue, Block 3637, Lot 6+, Borough of The Bronx.

APPEARANCES—

For Applicant: William C. Kane and C. A. Buckley, Jr.

For Opposition: Herbert A. Norton and C. J. Cammarata for N. Y. C. Housing Authority.

ACTION OF BOARD—Laid over to January 20, 1959, at 10 A.M. at the request of an objector; hearing previously closed.

377-50-A—Vol. II

APPLICANT—Patrick D. Concagh, for 29 West 38th Street, Corp., owner.

SUBJECT—Application reopened November 27, 1956 as Vol. II—re Appeal from a decision of the Borough Superintendent.

MINUTES

PREMISES AFFECTED—29-33 West 38th Street, north side, 446 feet west of 5th Avenue, 4th, 7th, 9th, 10th, 11th, 12th, 14th, 15th, 16th and 17th floors, Block 840, Lot 23, Borough of Manhattan.

APPEARANCES—

For Applicant: Patrick D. Concagh.

ACTION OF BOARD—Resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Kleiner, Commissioner Foley and Commissioner Sleeper.. 4
Negative: 0
Absent: Vice Chairman Keating 1

THE RESOLUTION—

WHEREAS, the decision of the Borough Superintendent, dated November 8, 1956, on Alt. Applic. 1378/56, reads:

“4—Means of egress should comply with Section 271 of the Labor Law for all floors including cellar.

5—All partitions in a fireproof class 1 bldg. should be incombustible. Sect. 10.9.2.5.B.C.”

and

WHEREAS, the applicant states that the building is 16 stories, 200 feet in height, 64 feet front by 98.75 feet in depth at 1st floor, 64 feet front by 88.75 feet at typical floor, of fireproof construction, erected 1912, located in a retail use, B area, class 2 height district, and used and occupied since 1912 as follows: Cellar—storage, utilities and boiler room; 1st floor—store, wholesale millinery supplies, 10 persons; 2nd floor—manufacturing dresses, 20 persons; 3rd—manufacturing jewelry, 6 persons; 4th floor—manufacturing hats and hat blocks, 16 persons; 5th floor—shipping linens, 15 persons; 6th floor—shipping perfumes and jewelry, 16 persons; 7th floor—manufacturing embroideries, 20 persons; 8th floor—manufacturing dresses, 30 persons; 9th floor—manufacturing hat frames and dresses, and shipping rhinestones, 35 persons; 10th floor—manufacturing hats, dresses and towels, 35 persons; 11th floor—manufacturing hats, gloves, buttons, etc., 35 persons; 12th floor—manufacturing jewelry, dresses and artificial feathers, 25 persons; 14th floor—manufacturing hat frames, belts and embroidery, 30 persons; 15th floor—manufacturing handkerchiefs and hats, 30 persons; 16th floor—manufacturing flowers and feathers, 35 persons; 17th floor—manufacturing hats and dresses, 35 persons; that no change in use or occupancy is proposed; and

WHEREAS, on October 3, 1950, under Calendar Number 377-50-A, Volume I, the Board modified Objections 1 and 2, issued by the Borough Superintendent on B.N. Applic. 810/50, requiring that all tenants have unobstructed access to at least two required means of egress and that all partitions be of incombustible material; that this application was granted as to Objection 1 relating to egress, on condition that whenever a floor is so arranged that the front tenant has access directly to only one means of exit, there shall be erected a fireproof passage on that floor from the cross corridor northerly to the exterior stairway on the east side of the building at rear, so that all tenants on the floor will have two lawful means of egress; that such partitions be constructed of fireproof materials with fireproof self-closing doors and constructed within the term of 2 years; and granted as to Objection 2 relating to incombustible partitions, on condition that all partitions, not complying with the Code, be removed and replaced with incombustible materials within two years; that the sprinkler system be maintained to the satisfaction of the Fire Commissioner; and

WHEREAS, the term of this variance was extended on October 7, 1952, for an additional period of two years; and

WHEREAS, Violation #827 was issued by the Department of Buildings, February 6, 1956, in that the 4th, 7th, 9th, 10th, 14th and 16th floors have been subdivided into offices, salesrooms and factory space; that gypsum block, wood and

glass, wood and sheetrock and steel floor to ceiling partitions have been erected without approved plans or permits; and

WHEREAS, the owner was convicted and fined in Municipal Term Magistrates Court, September 21, 1956, on charge of violation of the Administrative Code; and

WHEREAS, the applicant states that the building is provided with an approved standpipe system and an approved two-source sprinkler system throughout, an approved interior fire alarm system; that there is one 44 inch wide interior fireproof stairs, leading from roof bulkhead direct to street; that there are two fire escapes on the rear, extending to roof by stair and to street by stair with egress by fireproof passageway at east and west end direct to street, window and doors openings on the course of the fire escapes are fireproof self-closing; and

WHEREAS, the applicant states that the building was erected under N.B. Applic. 133/12, as a loft building; that under Alt. Applic. 2516/17 the occupancy was listed as stores and lofts; that the building is equipped with a two-source sprinkler system fed by two 75,000 gallon tanks, located on the roof, and equipped with an interior fire alarm system with central office connection; that in addition to the interior fireproof stairs, there are two 45 degree screened exterior stairways on the rear east and west sides, both extending to roof by stair with egress to the street by fireproof passage; that there is no manufacturing in the cellar, 1st and 5th floors; that the existing tenancies are the same as were in existence when the present owner took title in 1953; that the owner knew of the variance granted by the Board in 1950, but did not know that the variance had lapsed until served by the present violation; and

WHEREAS, the applicant states that it is proposed to replace the present combustible partitions on the 3rd, 7th, 10th, 11th, 12th, 15th, and 16th and 17th floors with incombustible materials, and to provide direct exits to the rear stairways for all tenants on the 4th, 9th, 10th, 11th, 12th, 13th (known as 14th) 15th and 17th floors by the erection of fireproof passageways, as shown on plans filed with this appeal; that all of these passageways will be constructed on the rear easterly side of the building with the single exception of the 13th (known as 14th) floor that in order to comply with the Board's Resolution of October 3, 1950; that with respect to the balance of the floors involved in the construction of fireproof passageways, the owner is unable to gain possession at the present time due to outstanding leases, which are protected by the Emergency Business and Commercial Rent Laws, which are still in effect; that however, should any of these spaces become vacant, the owner will promptly construct passageways and will notify the Board when this occurs; and

WHEREAS, the applicant therefore requests that the Board modify the requirements of the Labor Law and the Administrative Code and extend the time within which to construct the fireproof passageway for an additional term of two years; and

WHEREAS, the premises was inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 3, 1950, under Vol. I, as thereafter amended by resolutions adopted through October 7, 1952, by adding thereto:

“that the decision of the Borough Superintendent, on November 8, 1956, acting on Alt. Applic. 1378/56, No. 4 be and it hereby is *modified* and a variation in the requirements of the Labor Law is hereby granted and granted as to Objection 5 under the Building Code, *on condition* that there shall be no manufacturing in the cellar; that the second floor shall be occupied by a single tenant throughout; that on the third floor the existing 7 foot high wood and glass partitions forming offices and showroom at the front shall be replaced with block partitions and where equipped with doors, such

MINUTES

doors shall be fireproof, self-closing and that the existing wood partitions surfaced with plaster board to the ceiling, separating the factory portion from the reception desk and corridor be replaced with incombustible material; that on the fourth floor there shall be no manufacturing in the space at the southwest corner marked "Storage-Blocks for hats" or in the space at the southeast corner marked "office"; that a fireproof passage shall be constructed leading to the rear east fire escape; that the exit door in the partition leading to the easterly elevator corridor shall be arranged to swing outwardly; that the occupancy of the 4th floor shall be limited to two tenants; that the existing combustible partitions shall be removed and replaced with block partitions; that the 5th and 6th floors shall each be occupied by a single tenant; that on the 7th floor the wood and wood and glass partitions shall be replaced with block partitions; that the existing wood shelving may remain, provided an additional opening is provided in such shelving for egress from the front manufacturing area; that the occupancy of the 7th floor shall be limited to a single tenant throughout; that the occupancy of the 8th floor shall be limited to a single tenant throughout; that the occupancy of the 9th floor may be by two tenants, provided a fireproof passage is constructed leading to a rear easterly steel stairway; that on the 10th floor a fireproof passage shall be provided from the cross-corridor to the rear steel stairway, so that each of the three factory tenants shall have access to two means of exit at all times and all of the partitions throughout the floor shall be of incombustible material; that on the 11th floor, occupied by four tenants, all existing combustible partitions shall be replaced with incombustible materials and the fireproof passage provided from the cross-corridor to the rear fire escape, as proposed; that on the 12th floor, occupied by four tenants, all partitions separating tenants' spaces shall be constructed of block as proposed and a new fireproof passage constructed from the cross-corridor to the rear east exterior fire stair as proposed; that on the 13th floor, (No. 14), occupied by four tenants, all partitions subdividing tenants' spaces shall be constructed of blocks as proposed and there shall be provided a fireproof passage from the cross-corridor to the rear west fire escape to provide two means of egress from each factory space; that on the 15th floor, all partitions shall be constructed of blocks and a fireproof passage constructed from the cross passage to the rear east exterior steel stair, as proposed; that on the 16th floor, all existing wood and glass partitions shall be removed and replaced with block partitions as proposed and the occupancy of this floor shall be limited to one tenant; that on the 17th floor all partitions shall be block as proposed; that a new fireproof passage shall be provided as proposed from the cross-corridor to the rear east exterior steel fire stairway; and that the occupancy of this floor shall be limited to four tenants; that there shall be no manufacturing in the space marked "office" in the southeast corner of the building; that the occupancy per floor shall not exceed the capacity of the primary means of egress with due allowance for the sprinkler system; that the existing two source sprinkler system with approved connection to the Fire Department through an approved central office shall be maintained; that where tenant space includes more than one room, the rooms shall be connected with a door so that each part of a tenants' space used for manufacturing shall have access at all times to at least two means of exit; that the work shall be completed as shown on sheets attached hereto showing existing and proposed conditions, a total of 26 sheets, marked "Received October 20, 1958", unless otherwise required in this resolution; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

171-46-A—Vol. III

APPLICANT—Larry Meltzer, Kenneth & Gunhilde R. Carroad, for Trustees under Indentures of Trust Dated January 10, 1950; owners; Bell Container Corporation, lessee.

SUBJECT—Application for consideration—reopening as Vol. III subject to regular procedure—re decision of an order of the Fire Commissioner; previously granted on condition.

PREMISES AFFECTED—21-41 North 11th Street northwest corner of 36-50 Kent Avenue and 28-66 North 12th Street, Block 2287, Lot 1, Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened as Vol. III; applicant to see Examiner as to procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Foley and Commissioner Sleeper 3
Negative: 0
Absent: Vice Chairman Keating and Commissioner Kleinert 2

374-58-A

APPLICANT—Simon B. Zelnik, for J. E. Lobert, owner.

SUBJECT—Application June 20, 1958—Appeal from a decision of the Borough Superintendent—re construction.

PREMISES AFFECTED—148 West 57th Street, south side, 225 feet east of 7th Avenue, Block 1009, Lot 55, Borough of Manhattan.

APPEARANCES—

For Applicant: Leon Rosenbaum.

ACTION OF BOARD—Laid over from December 19, 1958, to January 20, 1959, at 2 P.M. for inspection and decision; hearing closed.

559-58-A

APPLICANT—Max Wechsler, of Wechsler and Schimenti, for Faith For Today, Inc., owner.

SUBJECT—Application filed September 24, 1958—Appeal from a decision of the Borough Superintendent—review of a decision of the Borough Superintendent—re zoning matter.

PREMISES AFFECTED—108-43 71st Avenue, north side, 100 feet west of 110th Street, Block 2223, Lot 44, Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Michael Schimenti and James Milligan.

ACTION OF BOARD—Laid over from December 19, 1958, to January 13, 1959, at 2 P.M. for further consideration and decision; hearing previously closed.

586-58-A

APPLICANT—Abraham Grossman, for Seymour Nathan, owner.

SUBJECT—Application October 10, 1958—Appeal from a decision of the Borough Superintendent, re egress, fire escape, etc.

PREMISES AFFECTED—101-103 Wooster Street, west side, 125 feet north of Spring Street, Block 501, Lot 28, Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Grossman.

ACTION OF BOARD—Laid over to January 13, 1959, at 2 P.M. for further consideration by the Board and decision; hearing closed. The premises were inspected by a Committee of the Board which found that the exit from the rear yard to roof of adjoining garage and by door to rear of such good grade did not provide safe exit condition.

Adjourned: 1:15 P.M.

Joseph J. Doyle, *Chief Clerk.*

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RULES

APPEALS AS TO MULTIPLE DWELLINGS

The Legislature, under Chapter 333 of 1948, has clarified Section 60 of the Multiple Dwelling Law by describing the agency authorized to grant variances under this Section, so as clearly to mean in New York City—the Board of Standards and Appeals.

Chapter 508 of 1948 has also been adopted by the Legislature, amending the Multiple Dwelling Law to provide, under new Section 310, for a Board of Appeals. By description the Board of Appeals means in New York City—the Board of Standards and Appeals. Section 310 provides as follows as to appeals:

LAWS OF NEW YORK—By Authority

Chapter 508 of 1948

§ 310. Board of appeals. 1. As used in this section "board" shall mean the agency of a city constituted as a board and authorized by law both to grant variances of the zoning resolution and to make rules supplemental to laws regulating construction, maintenance, use and area of buildings.

2. Where the compliance with the strict letter of this chapter causes any practical difficulties or any unnecessary hardships the board shall have the power, on satisfactory proof at a public hearing, provided the spirit and intent of this chapter are maintained and public health, safety and welfare preserved, and substantial justice done, to vary or modify any provision or requirement of this chapter, or any rule, regulation, supplementary regulation, ruling or order of the department with respect to the provisions of this chapter, as follows:

a. For multiple dwellings and buildings existing on July first, nineteen hundred forty-eight, provisions relating to:

- (1) Height and bulk;
- (2) Required open spaces;
- (3) Minimum dimensions of yards or courts; or
- (4) Means of egress.

b. For multiple dwellings and buildings erected or to be erected after July first, nineteen hundred forty-eight, and

such dwellings thereafter altered or to be altered, provisions relating to:

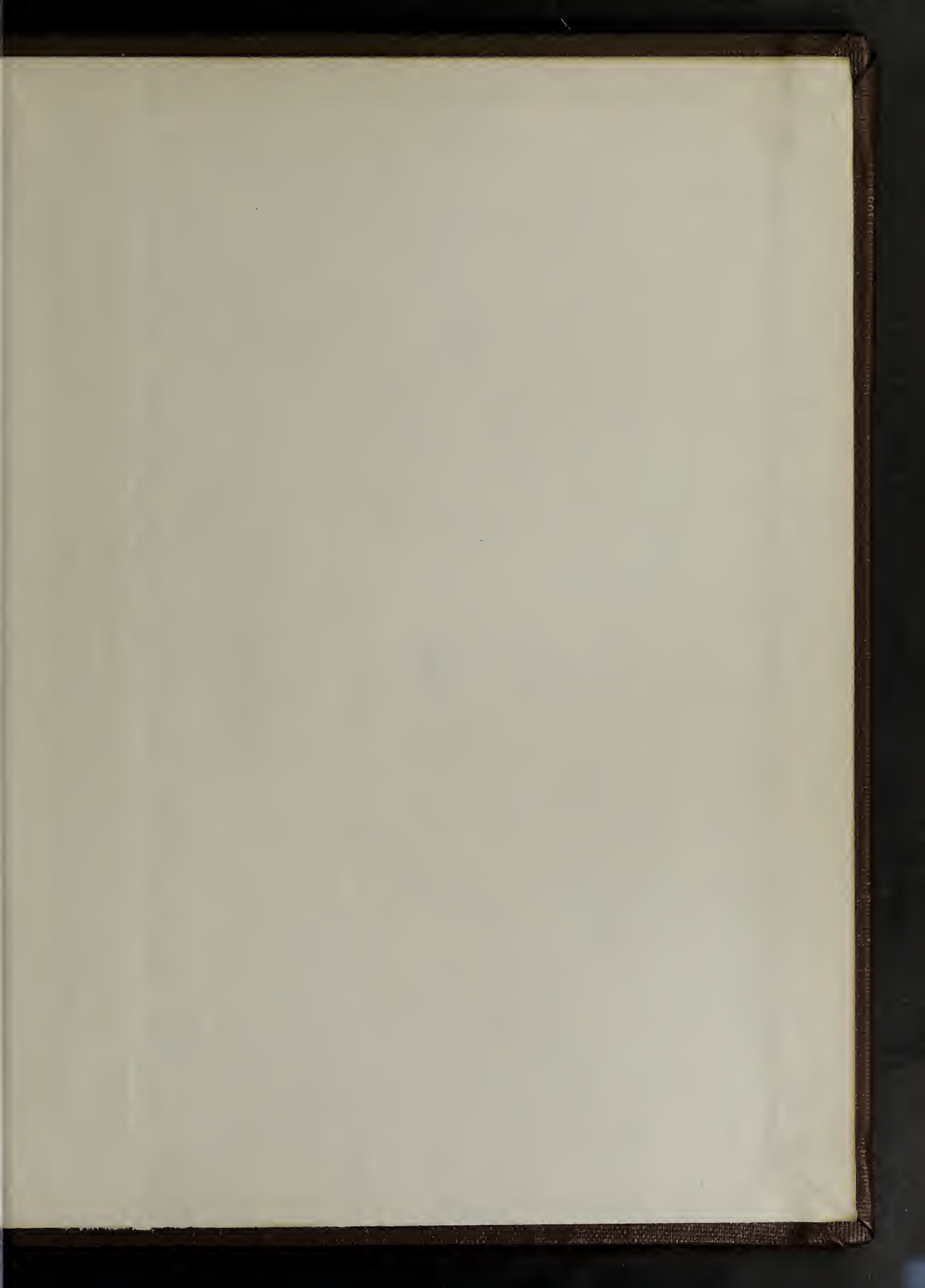
- (1) Required open spaces; or
- (2) Minimum dimensions of yards or courts.

Variations or modifications may be granted pursuant to this paragraph b only on condition that open areas for light and air are provided which are at least equivalent in area to those required by the applicable provisions of this chapter.

3. An application for such a variance or modification may be made by any person aggrieved or by the head of any public agency, within such time and under such procedure, conditions and rules as may be prescribed by the board. The board shall fix a reasonable time for the hearing of an application and shall require that due notice be given of the time and place of such hearing to the applicant and to the department. Any person or a duly authorized representative of any public agency may appear at any such hearing and be heard on any such application.

4. In every case the board shall state the reason or reasons for its decision. All decisions of the board shall be subject to review in the same manner as is provided by law for review of decisions of such board respecting variances of the zoning resolution.

5. A record of all decisions of the board, indexed according to the section or sections of this chapter affected thereby, shall be kept in the office of the board. Such record shall be open to public inspection at all times during business hours.



UNIVERSITY OF ILLINOIS-URBANA
352.05 NEW C001 v.43:26-52(1958
Bulletin.



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